

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CRIMINAL APPLICATION NO. 2454 OF 2016

Kamlesh Mohan Bhadane .. Applicant

Vs.

The State of Maharashtra .. Respondent

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Mr. Prashant Nagargoje, Advocate h/f Mr. Ashok D. Raut,
Advocate for the applicant

Smt. R.P. Gour, APP for the respondent-State

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CORAM : N.W. SAMBRE, J.

DATE : 01/07/2016

ORAL ORDER :

Heard.

2. The applicant is seeking bail in Crime no.54 of 2015 registered at Pimpalner Police Station, Dist. Dhule for the offences punishable under section 376(1)(2)(i), 363, 366, 506 r/w. 34 of the Indian Penal Code and under section 4 of the Protection of Children From Sexual Offences Act.

3. The investigation in the matter is already

completed. The trial has also commenced. The victim was under cross-examination.

4. Main accused – Rahul Bhamre is already released on bail by the Sessions Court on 15/5/2016. The applicant has already declined cross-examination of the victim and intend to rely upon the cross-examination, as is brought on record, by the main accused – Rahul Bhamre.

5. In my opinion, based on the principle of parity, the applicant is entitled to be released on bail.

6. The applicant be released on bail in Crime no. 54 of 2015 registered with Pimpalner Police Station, Dist. Dhule for the offences punishable under section 376(1)(2)(i), 363, 366, 506 r/w. 34 of the Indian Penal Code and under section 4 of the Protection of Children From Sexual Offences Act, upon his executing P.R. bond in the sum of Rs.15,000/- (Rs. Fifteen Thousand) with one surety

in the like amount.

7. The applicant shall not tamper with the prosecution evidence or influence the witnesses in any manner.

8. During trial, the applicant shall co-operate with the Court below by not seeking unnecessary exemptions and shall not protract the trial.

9. Any attempt on the part of the applicant to protract the trial, if noticed by the learned Court below, it shall be open for the Court below to proceed with cancellation of bail of the applicant.

10. Criminal Application stands disposed of accordingly.

[N.W. SAMBRE]
JUDGE

arp/-