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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

CRIMINAL APPLICATION NO. 3241 OF 2016

Shamrao S/o Baddu Rathod

..APPLICANT

VERSUS

The State of Maharashtra

..RESPONDENT

Mr A. P. Shejul, Advocate for applicant;

Mr S. Y. Mahajan, Addl. Public Prosecutor for respondent

CORAM : N.W. SAMBRE, J.

DATE : 25th July, 2016

ORDER :

Heard Mr Shejul, learned Counsel appearing on behalf of the applicant.

2. The applicant is seeking his release on regular bail, in connection with Crime No. I-83 of 2016, registered with Ambad Police Station, Tq. Ambad, Dist. Jalna, for offences punishable under Section 376 and 506 of the Indian Penal Code, for the alleged incident dated 27th May, 2016.

3. The prosecution story is that the applicant has committed rape on complainant in her agricultural field, as on earlier day, the husband and brother-in-laws of the complainant have taken recourse to outrage the modesty of the daughter of the applicant-accused.

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4. Perused the entire investigation papers.

5. The medical evidence, produced on record, does not support the case of the prosecution. Apart from above, there are no incriminating circumstances, which speak of prima facie involvement of the applicant in crime in question.

6. In the above background, in my opinion, it will be appropriate to allow the application. Hence I pass following order:

(a) The applicant be released on bail, in connection with Crime No. I-83 of 2016, registered with Ambad Police Station, Tq. Ambad, Dist. Jalna, for offences punishable under Section 376 and 506 of the Indian Penal Code, on furnishing P.R. Bond of Rs 15,000/- with one surety in the like amount.

(b) The applicant shall not tamper the prosecution evidence and shall not influence the prosecution witnesses.

Criminal Application stands allowed in above terms.

(N.W. SAMBRE, J.)

sjk