

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

Criminal Application No. 4027 of 2016

District : Aurangabad

Madan @ Krushna s/o. Hari Gavre,
Age : 23 years,
Occupation : Labour,
R/o. Ghatshendra,
Taluka : Kannad,
District : Aurangabad.

.. Applicant.

versus

The State of Maharashtra,
through Police Station Officer,
Pishor Police Station,
Taluka : Kannad,
District : Aurangabad.

.. Respondent.

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Mr. A.R. Devakate, Advocate, for the applicant.

*Mr. S.D. Ghayal, Addl. Public Prosecutor, for
the respondent.*

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CORAM : A.M. BADAR, J.

DATE : 19TH AUGUST 2016

ORAL ORDER:

The applicant, who is husband of the informant and accused in Crime No. I-66/2016, for offences punishable under Sections 377, 354A(3), 354B, 354C, 498A, 323, 504, 506, read with Section 34

of the Indian Penal Code, by this application, is praying for releasing him on bail.

2. Heard the learned Counsel appearing for the applicant as well as the learned Addl. Public Prosecutor for the respondent.

3. Perusal of papers of investigation do show that the investigator has recorded statements of witnesses, effected seizures and the informant / prosecutrix was also subjected to medical examination. The allegations against the applicant, who is husband of the informant, are to the effect that he was subjecting the informant to cruelty. The applicant was pervert in his sexual behaviour and that he had recorded their sexual relations in the cellphone.

4. The investigation qua the present applicant is virtually over. Considering the nature of crime and the fact that the informant is none else but wife of the applicant, further pre-trial detention of the applicant is not warranted. Hence, the following order :-

(a) The application is allowed.

(b) The applicant / accused, in the above crime, be released on bail, on his furnishing P.R. Bond in the

sum of Rs. 15,000/- and one or more solvent sureties of the like amount.

(c) The applicant shall not, directly or indirectly, make any inducement, threat or promise to any persons acquainted with the facts of the case so as to dissuade them from disclosing such facts either to the Court or to any police officer.

(d) The applicant shall not tamper with the prosecution evidence in any manner and shall cooperate the learned trial Judge in expeditious disposal of the trial.

(e) The applicant shall not repeat commission of similar type of offences in future.

5. The Application stands disposed of in the aforesaid terms.

(A.M. BADAR)
JUDGE

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