

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

CRIMINAL APPLICATION NO. 4478 OF 2015

THE STATE OF MAHARASHTRA
VERSUS
KRISHNA S/O BHAGVAN TADE

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Mr.M.M.Nerlikar, APP for Applicant

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**CORAM : S.S. SHINDE AND
SANGITRAO S. PATIL, JJ.
DATE : OCTOBER 20, 2016**

PER COURT :

Heard the learned A.P.P. for the applicant. Perused the notes of evidence and the findings recorded by the trial Court.

2. It appears that the evidence of the prosecutrix has not been properly appreciated by the learned trial Judge. A case is made out for granting leave to file the appeal.

3. Hence, the application stands allowed. Leave to file the appeal is granted.

4. The appeal is **admitted**.

5. Action under Section 390 of the Code of Criminal Procedure to follow against the respondent, before the Sessions Court at Aurangabad.

[SANGITRAO S. PATIL, J.]

[S.S. SHINDE, J.]

kbp