

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

Criminal Application No. 5426 of 2016

District : Aurangabad

Ramkisan Narayan Pawar,
Age : 45 years,
Occupation : Agriculture,
R/o. Babra,
Taluka : Phulambri,
District : Aurangabad. .. Applicant.

versus

The State of Maharashtra,
Through Investigation Officer,
Wadodbazar Police Station,
Taluka : Phulambri,
District : Aurangabad. .. Respondent.

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Mr. Dhananjay K. Thote, Advocate, for the applicant.

*Mr. S.J. Salgare, Addl. Public Prosecutor, for the
respondent.*

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CORAM : A.M. BADAR, J.

DATE : 7TH OCTOBER 2016

ORAL ORDER:

The applicant / accused in Crime No. I-111/2016 registered with Wadodbazar Police Station, Taluka Phulambri, District Aurangabad, for offences punishable under Sections 452, 354B, 324, 323, 504,

506 of the Indian Penal Code, by this application, is seeking his release on bail.

2. Heard the learned Counsel appearing for the applicant / accused and the learned Addl. Public Prosecutor appearing for the respondent / State.

3. The learned Addl. Public Prosecutor opposed the application by contending that version of the prosecutrix is corroborated by statement of her husband who had also witnessed the incident in question. Medical evidence also corroborates the version of the prosecutrix.

4. Perused papers of investigation. According to the prosecutrix, when she was in her house located in the field, the present applicant, who resides in the neighbourhood, came and embarrassed her. The applicant outraged her modesty and insisted her to have sexual relations with him. It is further averred that hearing her shouts, her husband rushed on the spot of the incident and separated the applicant. In that process, the applicant had given fist and kick blows to the husband of the prosecutrix.

5. It is seen that almost entire investigation is over. Statements of witnesses are recorded. The injury certificate is also collected. In this view

of the matter, further pre-trial detention of the present applicant is not warranted.

6. Hence, I pass the following order :-

(a) The Application is allowed.

(b) The applicant / accused, in the above crime, be released on bail on his executing P.R. Bond in the sum of Rs. 25,000/- and on furnishing one or more solvent sureties of the like amount.

(c) As conditions of this order, the applicant shall abide by the following directives :-

(i) The applicant shall not contact the prosecutrix or her relatives, in any manner, for any purpose.

(ii) 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.

(iii) 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, in the event of filing charge-sheet against him.

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

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

(A.M. BADAR)
JUDGE

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