

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

CRIMINAL APPLICATION NO. 5475 OF 2016

Ganesh s/o. Bhima Dhande .. Applicant
Age. 27 years, Occ. Agriculture,
R/o. Ambe Vangan, Tq. Akole,
Dist. Ahmednagar.

Versus

The State of Maharashtra .. Respondent

Mr. Suhas R. Shirsat h/f. Mr.Santosh S. Jadhavar,
Advocate for applicant.
Mr.S.D. Ghayal, APP for respondent/State.

**CORAM : A.M. BADAR,J.
DATED : 10.10.2016**

P.C. :-

1. The applicant/accused in Crime No.I-52 of 2016, registered with Rajur Police Station, Tq. Akole, Dist. Ahmednagar, for offences punishable under sections 376(D), 366, 344, 323, 504, 506 read with 34 of the Indian Penal Code, by this application is seeking his release on bail.

2. Heard learned Counsel for the applicant/accused as well as learned A.P.P.

3. Perused papers of investigation. The crime in question is registered on the basis of report lodged by the prosecutrix, who is a matured woman of about 22 years of age. She alleged rape on her by accused Madhukar Dhande as well as Dunda Dhande. So far as the present applicant is concerned, the averments are to the effect that he had abused and threatened the prosecutrix from time to time.

4. Considering the nature of allegations against the present applicant, his further pre-trial detention is not warranted. Therefore, the following order :-

O R D E R

i) The application is allowed.

ii) Applicant/accused - Ganesh s/o. Bhima Dhande, in Crime No.I-52 of 2016, registered with Rajur Police Station, Tq. Akole, Dist. Ahmednagar, for offences punishable under sections 376(D), 366, 344, 323, 504, 506 read with 34 of the Indian Penal Code, be released on bail on executing P.R.Bond of Rs. 15,000/- [Rupees Fifteen Thousand] and on furnishing surety in the like amount.

(iii) As a condition of this Order, the applicant shall not extend any threat, inducement or promise to the persons acquainted with the facts of the accusation so as to dissuade them from disclosing the same either to the police or the Court.

(iv) The applicant shall not tamper the evidence of the prosecution.

(v) The applicant to co-operate the trial Court in the expeditious disposal of trial against him.

[A.M. BADAR, J.]