

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

CRIMINAL APPLICATION NO. 6436 OF 2015

Gautam s/o Pralhad Gore,
Age: 22years, Occ: Agri.,
R/o. Nagtala, Tq. Ashit,
Dist. Beed.

...Applicant

versus

The State of Maharashtra,
through Police Inspector,
Amalner Police Station, Tq. Patoda,
Dist. Beed.

...Respondent

.....
Mr. R.G. Hange, Advocate for applicant
Mr. M.B. Bharaswadkar, A.P.P. for respondent
.....

CORAM : N.W. SAMBRE, J.

DATE : 21st JANUARY, 2016

ORAL ORDER :

The applicant is seeking regular bail in Crime No.29 of 2015 registered with Amalner Police Station, Taluka Patoda, District Beed for the offence punishable under Sections 376(1), 323, 506 of Indian Penal Code, under Section 4 of Protection of Children from Sexual Offences Act and under Section 3(1)(xii) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

2. Perused the charge sheet. The statements of victim and her mother under Section 164 of Code of Criminal Procedure do not

support the offence alleged under F.I.R. Apart from above, during investigation, forensic medical examination report also does not speak of any fresh injury or intercourse as alleged.

3. In that view of the matter, in my opinion, further detention of the applicant is not necessary. As such, the application is allowed. Hence, the following order.

The applicant be released on bail, in connection with Crime No.29 of 2015 registered with Amalner Police Station, Taluka Patoda, District Beed for the offence punishable under Sections 376(1), 323, 506 of Indian Penal Code, under Section 4 of Protection of Children from Sexual Offences Act and under Section 3(1)(xii) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, upon executing P.R. bond of Rs. 15,000/- with one surety in the like amount. The applicant shall keep himself away from the village till conclusion of trial.

4. The application is allowed in above terms.

[N.W. SAMBRE, J.]