

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

CRIMINAL APPLICATION NO. 6537 OF 2015

Jairam Rambhau Chaughule

... Applicant

VERSUS

The State of Maharashtra

... Respondent

.....
Mr G. J. Kore, Advocate for applicant
Mr S. J. Salgare, APP for respondent/State
.....

CORAM : **N. W. SAMBRE, J.**

DATE : **14TH JANUARY, 2016.**

PER COURT:

. The applicant herein is seeking regular bail in Crime No. 99 of 2014 registered with Ambajogai Police Staiton, Dist. Beed for the offences punishable under Sections 376, 417, 323, 504, 506 read with 34 of the Indian Penal Code.

2. The learned Counsel for the applicant while trying to make out a case for grant of regular bail would urge that, the investigation in the matter is already complete and the charge-sheet is also filed, there is no necessity of further detention of the applicant, particularly perusal of the investigation papers and FIR depicts that the complainant voluntarily stayed with the applicant and constrained him for establishing physical

relationship with her. He would then urge that, the medical evidence and the other evidence do not reflect any volunteer act on the part of the present applicant. In view thereof, according to him, he is entitled for bail.

3. Learned APP opposed the application on the ground that the victim in the present case namely; Sunita was murdered by brother and son of the applicant. He would then urge that, the another crime came to be registered in which the applicant is shown to be an accused as it is claimed by the prosecution that the applicant has hatched conspiracy to kill the deceased Sunita along with her two minor children.

4. So far as the present case is concerned, in my opinion, upon perusal of FIR, it depicts that the victim stayed with the applicant voluntarily and there appears to be a consent for establishing the physical relationship. In view thereof, it will be appropriate, in my opinion, to order release of the applicant on bail. Hence, I proceed to pass the following order.

ORDER

The applicant Jairam Rambhau Chaughule be released on bail in Crime No. 99 of 2014 registered with Ambajogai Police

Staiton, Dist. Beed for the offences punishable under Sections 376, 417, 323, 504, 506 read with 34 of the Indian Penal Code, on his furnishing P.R. bond in the sum of Rs. 15,000/- (Rupees Fifteen Thousand) with one surety in the like amount.

6. Criminal Application stands allowed in above terms.

[N. W. SAMBRE]
JUDGE

sgp