

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH AT NAGPUR

CRIMINAL APPLICATION (BA) NO.978/2015

Sk. Irfan S/o Sk. Mannan

..Versus..

The State of Maharashtra, through Police Station Officer, Police Station, Asegaon,
Distt. Amravati

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

CORAM : Z.A. HAQ, J.

DATE : 10.3.2016

Heard Shri L.B. Khergade, advocate for the applicant and Shri
S.S. Doifode, A.P.P. for the non-applicant.

The applicant is arrested on 24th September, 2014 in crime
registered against him for the offence punishable under Section 376(5)
(2)(L)(J), 363, 114 of the Indian Penal Code.

The allegations against the applicant are that he has committed
forcible sexual intercourse on victim aged about 30 years who is
mentally retarded.

The learned advocate for the applicant has submitted that there
is no medical evidence to substantiate the charge levelled against the
applicant.

Considering the facts on the record, that the charge-sheet is

filed on 12th December, 2014 and that the non-applicant has not been able to show that the custody of applicant is required for further investigation, in my view, the applicant is entitled to be released on bail.

Hence, the following order:

- (i) The applicant having been arrested in Crime no.157/2014 registered by the non-applicant, he be released on bail on furnishing P.R. bond in the sum of Rs.20,000/- (Rs. Twenty Thousand Only).
- (ii) The application is allowed in the above terms.

CRIMINAL APPLICATON (APPP) NO.3/2016.

In view of disposal of main application, this application does not survive and is disposed of accordingly.

JUDGE

Tambaskar.