

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

CRIMINAL APPLICATION (BA) NO. 65 OF 2016

(HIWRAJ MAHADEV SURYAVANSHI...VS..STATE OF MAH., THR. PSO, PS DUGGIPAR, DIST.
 GONDIA)

 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.

DATED : FEBRUARY 26, 2016.

Heard Shri S.V.Sirpurkar, advocate for the
 applicant and Ms N.P. Mehta, A.P.P. for the non-applicant.

The applicant is arrested in the crime registered
 against him for the offence punishable under Section 376(1)
 & (2) (h), (n) and (m) r/w 34 of the Indian Penal Code. The
 allegations against the accused are that he has continuously
 exploited the victim sexually because of which she became
 pregnant and delivered a child. According to the prosecution,
 the parents of the victim noticed the pregnancy of the victim
 in 28th week. The applicant is in jail since 23rd July, 2015.
 Charge-sheet is filed.

Considering the facts on record, nature of the
 allegations and as the non-applicant has not been able to
 show that the custody of the applicant is required for further
 investigation, in my view, the applicant is entitled to be
 released on bail. Hence, the following order :

The applicant, having been arrested in Crime
 No.69 of 2015 registered by the non-applicant, he be released
 on bail on furnishing P.R. Bond in the sum of Rs.Twenty
 Thousand and two solvent sureties in the like amount.

The applicant shall attend every date of the sessions trial before the Sessions Court, unless granted exemption by the Sessions Court. If the applicant fails to attend any date of the sessions trial without seeking exemption from the Sessions Court, this order shall stand recalled.

The application is allowed in the above terms.

JUDGE

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