

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

CRIMINAL APPLICATION (ABA) NO.109/2016

Atul S/o Omprakash Mule

..Versus..

State of Maharashtra, through Police Station Officer, Pathrot, Tq. Achalpur, 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 : 6.4.2016

Heard Shri M.V. Bute, advocate for the applicant and Shri
R.S. Nayak, A.P.P. for the non-applicant.

The applicant apprehends arrest in crime registered against
him under Section 376 and 506 of the Indian Penal Code on the
complaint of the prosecutrix (aged about 32 years) that taking
advantage of weak financial condition of the complainant
(prosecutrix), the applicant has sexually exploited her.

The application is opposed on the ground that the
investigation is in progress and the mobile phone of the applicant

was required to be seized. The applicant has surrendered his mobile phone to the Investigating Officer.

Considering the nature of accusations against the applicant, the facts on the record and as the non-applicant has not been able to show that the custody of applicant is required for further investigation, in my view, the interim order granted on 26th February, 2016 is required to be confirmed.

Hence, the following order:

- (i) In the event of arrest in Crime No.21/2016 registered by the non-applicant, the applicant be released on bail on furnishing P.R. bond for Rs.10,000/- (Rs. Ten Thousand Only) and one solvent surety in the like amount. The application is **allowed** accordingly.

CRIMINAL APPLICATION (APPP) NO.247/2016

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

JUDGE