

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

CRIMINAL APPLICATION (ABA) NO. 123 OF 2016
(HANIFABI NAZIR AHMED....VS..STATE OF MAH. THR. PSO PS GRP AKOLA)

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 : APRIL 13, 2016.

Heard Shri R.M.Bhangde, advocate for the
applicant and Shri K.R.Lule, A.P.P. for the non-applicant.

The applicant apprehends arrest in the crime registered against her and some other co-accused for the offence punishable under Sections 376, 366A and 34 of the Indian Penal Code and Sections 3 and 4 of the Protection of Children from Sexual Offences Act, 2012. The offence is registered on the complaint of the complainant / victim (aged about 15 years) that the co-accused Rizwan Shah committed penetrative sexual assault on the victim, promising to marry her. According to the complainant, Rizwan Shah left her at Akola, then she went to the applicant who wanted to take the complainant to Mumbai by train, however, the complainant could manage to run away from Bhusawal.

The application is opposed on the ground that detailed investigation is required to be undertaken to unearth the racket and to find out the persons involved in procuring the girls and selling them.

The charge-sheet is filed. The averments in the First Information Report only refers to name "Hanifa". The learned A.P.P. has submitted that identification parade is not conducted.

Considering the facts on the record, in my view, the interim order granted on 17th March, 2016 is required to be confirmed.

Hence, the following order :

In the event of arrest in Crime No.129 of 2015, registered by the non-applicant, the applicant be released on bail on furnishing P.R. bond for Rs.Twenty Thousand and one solvent surety in the like amount.

The application is allowed in the above terms.

JUDGE