

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

CRIMINAL APPLICATION (BA) NO.177/2016

Sachin s/o Rambhau Naranje and another

..Versus..

State of Maharashtra, through Police Station Officer Wardha, Distt. Wardha

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 : 5.4.2016

Heard Shri P.P. Patil, advocate for the applicants.

The applicants have surrendered on 27th January, 2016 in view of registration of crime against them for the offence punishable under Section 376-D, 305, 504 and 506 of the Indian Penal Code and Section 4 of the Protection of Children from Sexual Offences Act, 2012.

The crime is registered against the applicants and co-accused Bodhinand on the statement of deceased - victim (aged about 17 years) that victim was having love affair with Bodhinand, that on 5th September, 2015 victim, Bodhinand, Nikhil and the applicants attended the marriage at Wardha and while returning

Bodhinand took victim to the room of applicant no.1 where the applicants were present, the applicant no.1 brought food which all of them had and thereafter Bodhinand committed rape on the victim and Bodhinand was assisted by Nikhil and the applicants. Three dying declarations are recorded.

The charge-sheet is filed on 16th January, 2016. The non-applicant has not been able to show that the custody of applicants is required for further investigation. Considering the nature of accusations against the applicants and the facts on the record, I am of the view that the applicants are entitled to be released on bail.

Hence, the following order:

- (i) The applicants having been arrested in Crime No.496/2015 registered against them by the non-applicant, they be released on bail on furnishing P.R. Bond for Rs.20,000/- (Rs. Twenty Thousand Only) each and one solvent surety in the like amount for each of the applicant.
- (ii) The applicants shall attend the sessions trial regularly. In

default on the part of the applicants to attend the sessions trial on any date, without seeking exemption from the Sessions Court, this order shall stand recalled without reference to Court.

(iii) The application is **allowed** in the above terms.

JUDGE

Tambaskar.