

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

CRIMINAL APPLICATION (BA) NO. 192 OF 2016

(ASHUTOSH SHANTARAM PAWAR...VS..STATE OF MAH. THR. PSO PS BARSHITAKLI, DIST. 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 04, 2016.

Heard Shri S.G.Joshi, advocate for the applicant
and Shri N.B.Jawade, APP for the non-applicant.

The applicant is arrested on 15th December, 2015 in the crime registered against him and another co-accused for the offence punishable under Section 306 r/w 34 of the Indian Penal Code on the accusations that because of the penetrative sexual assault and constant harassment by the accused, the victim committed suicide. According to the prosecution, the victim had immediately disclosed about the penetrative sexual assault and harassment by the accused to her mother before she committed suicide.

The charge-sheet is filed on 8th February, 2016. The non-applicant has not been able to show that the custody of the applicant is required for further investigation. Considering that the applicant is aged about 19 years and is undergoing his education at Patur, District : Akola, in my view, the applicant is entitled to be released on bail, however, on certain conditions.

Hence, the following order :

- i) The applicant having been arrested in Crime No. 123 of 2015 registered by the non-applicant he be released on bail on furnishing P.R. Bond for Rs.Fifty Thousand and two solvent sureties in the like amount.
- ii) The applicant shall surrender his passport to the Investigating Officer before he is released on bail.
- iii) In case, the Passport Authority has not issued the passport in the name of the applicant, the applicant shall file an affidavit to that effect before the Sessions Court within one week along with an undertaking that if the applicant gets the passport he will surrender it immediately to the Investigating Officer.
- iv) The applicant shall not enter village Jalalabad, Tahsil Barshi-Takli, District : Akola where the parents of the victim are residing, till the sessions trial is complete.
- v) The applicant shall supply the details of his residence, his cellphone number and cellphone number of his father to the Investigating Officer before his release on bail.
- vi) The applicant shall attend the sessions trial regularly unless granted exemption by the Sessions court.

The application is allowed in the above terms.

JUDGE