

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

CRIMINAL APPLICATION (BA) NO.270/2016

Amit S/o Ranglal Shende

..Versus..

State of Maharashtra, through Police Station Officer Umrer, Tah. Umrer, Distt.
Nagpur

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 : 15.4.2016

Heard Shri P.S. Kaole, advocate for the applicant and Shri
N.B. Jawade, A.P.P. for the non-applicant.

The applicant is arrested on 31st August, 2015 in crime
registered against him for the offence punishable under Sections
376(2)(N) of the Indian Penal Code and Section 4 of the Protection
of Children from Sexual Offences Act, 2012 on the complaint of
prosecutrix (aged about 17 ½ years) accusing that the applicant
has forcibly and repeatedly committed sexual intercourse.

The application is opposed on the ground that there is
ample evidence against the applicant including the report of DNA
examination.

The charge-sheet is filed on 23rd October, 2015.

Considering the nature of accusations against the applicant and the fact that the non-applicant has not been able to show that the custody of applicant is required for further investigation, in my view, the applicant is entitled to be released on bail.

Hence, the following order:

- (i) The applicant having been arrested in Crime no.114/2015 registered by the non-applicant, he be released on bail on furnishing P.R. bond for Rs.20,000/- (Rs. Twenty Thousand Only) and one solvent surety in the like amount.
- (ii) The application is **allowed** in the above terms.

JUDGE

Tambaskar.