

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

CRIMINAL APPLICATION (BA) NO.320 OF 2016

(Wasimoddin s/o Kayamoddin ..vs.. The State of Maharashtra, through PSO, PS Anjangaon Surji,
District 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.
DATED : 26-04-2016

Heard Shri Parvez Mirza, learned Advocate for the applicant and Shri R.S. Nayak, learned Additional Public Prosecutor for the non-applicant.

2. The applicant is arrested on 17-11-2015 in crime registered against him for offence punishable under Sections 363, 376, 328 and 109 of the Indian Penal Code. The crime is registered on the complaint of brother of victim. The victim is aged about 21 years. According to the applicant, there was love affair between the applicant and victim and they got married before Qazi.

3. According to the investigating agency, the applicant and victim are not married and the applicant had taken victim to Bhusawal against her wish and forcibly committed sexual intercourse.

4. With the assistance of the learned Advocate for the applicant and the learned Additional Public Prosecutor for the non-applicant, I have gone through the charge-sheet and the say of the Investigating Officer filed by before the Sessions Court.

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

5. Hence, the following order :

- i) The applicant having been arrested in Crime No.205/2015 registered by the non-applicant, the applicant be released on bail, on furnishing P.R. Bond for Rs.20,000/-.
- ii) The application is allowed in the above terms.

JUDGE