

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

CRIMINAL APPLICATION (BA) NO.384 OF 2016

(Mangesh Hemant Nagpure ..vs.. State of Maharashtra, through PSO, PS Ramnagar, Gondia)

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 : 04-05-2016

Heard Shri Shashikant Borkar, Advocate for the applicant and Shri S.B. Bissa, Additional Public Prosecutor for the non-applicant.

2. The applicant is arrested on 26-03-2016 in crime registered against him for offences punishable under Section 376(2)(f) of the Indian Penal Code and Sections 4 and 6 of Protection of Children from Sexual Offences Act, 2012. The crime is registered against the applicant on the complaint filed by the prosecutrix (aged about 17 years 10 months) that the applicant assuring him of marriage, committed forcible sexual intercourse on several occasions.

3. The first incident is alleged to have taken place in May 2014. The First Information Report is dated 15-03-2016.

4. With the assistance of learned Advocate for the applicant and learned Additional Public Prosecutor for

the non-applicant, I have gone through the First Information Report and the reply of the Investigating Officer which was filed before the Sessions Court and the copy of which is placed on the record.

5. Though the application is opposed on the ground that the crime is serious and victim is minor, considering the nature of accusations, the facts on record and as the 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.

6. Hence, the following order :

- i) The applicant having been arrested in Crime No.63/2016 registered by the non-applicant, he be released on bail, on furnishing P.R. Bond for Rs.25,000/-.
- ii) The application is allowed in the above terms.

JUDGE