

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

CRIMINAL APPLICATION (BA) NO.396 OF 2016

Amol s/o Devidas Bawane (Applicant in jail)

-vs-

The State of Maharashtra, Thr. PSO, PS Warora, Dist. Chandrapur

Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's Orders.

Shri D. B. Borkar, Advocate for applicant.
Ms Geeta Tiwari, APP for State.

CORAM : A.S.CHANDURKAR, J.

DATE : May 20, 2016

The applicant seeks grant of bail with regard to his arrest in Crime No.80 of 2016. Said offence has been registered under provisions of Sections 354, 506 and Section 4 of the Indian Penal Code along with Sections 11 and 12 of the Protection of Children from Sexual Offences Act, 2012.

It is submitted on behalf of the applicant that the alleged incident is dated 01/01/2016 and the report was lodged belatedly on 30/01/2016. It is submitted that the allegations levelled are false and with a view to implicate the applicant. It is submitted that charge-sheet has been filed and hence there is no requirement of the applicant being in custody.

The application is opposed by the learned Additional Public Prosecutor on the ground that the applicant is residing in the same locality as the complainant. It is likely that the applicant if released, would threaten the complainant and will also tamper with the material collected by the prosecution. It is therefore submitted that the application

deserves to be rejected.

Perused the first information report. Prima facie, considering the fact that the incident alleged is dated 01/01/2016 and the first information was given on 26/01/2016 coupled with the fact that the investigation is now complete and the charge-sheet has been filed, case for release on bail has been made out subject to imposition of conditions.

Accordingly the application is allowed. The applicant Amol Devidas Bawane be released on bail on furnishing PR Bond of Rs.20,000/- (Rupees Twenty Thousand only) with one surety in the like amount. The applicant shall not enter the jurisdiction of Warora police station and also Nagori village during pendency of the trial. The applicant undertakes to reside at Nagpur during pendency of the trial. He shall furnish his mobile number to the Investigating Officer and shall also attend the sessions trial regularly. Breach of any of these conditions would entitle the prosecution to seek cancellation of the bail.

Application is allowed and disposed of.

JUDGE