

IN THE HIGH COURT OF JUDICATURE AT BOMBAY:
NAGPUR BENCH : NAGPUR
Criminal Application [BA] No. 430 of 2016
[Pravin Raising Jagne Vs. State of Mah.]

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

Court's or Judge's orders

Mr. T.U. Tathod, Adv., for the Applicant.
Mr. S.S. Doifode, APP for respondent.

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CORAM : V.M. DESHPANDE, J.

DATE : 14th June, 2016

This is an application under Section 439, Criminal Procedure Code, filed by the Applicant for his enlargement on bail in Crime No. 125/16 registered with respondent - Police Station, Tirora, Distt. Gondia, for the offences punishable under Sections 376 (2) (n) and 417 of Indian Penal Code. The report is lodged on 30th April, 2016.

Heard Mr. T.U. Tathod, the learned counsel for the Applicant and Mr. S.S. Doifode, learned APP for the State. The State has already filed a detailed reply on record.

From the First Information Report, it is clear that the first informant is aged about 21 years. The gist of the allegations made in the First Information Report is that on giving a promise of marriage, the applicant established sexual relations with her and thereafter he refused to marry her, necessitating her to file First Information Report against the present applicant.

It is stated that the applicant is in jail from 2nd May, 2016. It is the submission of the learned APP that the statements of the witnesses and also the members of Tanta Mukta Committee of the village are already recorded and the investigation is on the verge of completion.

Looking to the stage of the investigation, and prima facie, it appears that it is a case of consent. In that view of the matter, the applicant can be released on bail on putting certain conditions. Hence the following order:-

ORDER

- [a]** Criminal Application [BA] No. 430 of 2016 is allowed.
- [b]** Applicant be released on bail in connection with Crime No. 125/16 registered with respondent – Police Station, Tirora, for the

offences punishable under Sections 376 (2) (n) and 417, Indian Penal Code, on the applicant executing a Personal Bond of Rs. 15,000/- [rupees fifteen thousand only] with one solvent surety of like amount.

[c] That, the applicant shall not enter Nagbhid town during pendency of the trial.

[d] That the applicant shall not extend any kind of threat or allurements, either to the First Informant, or to any of the witnesses.

Judge