

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**NAGPUR BENCH, NAGPUR.****CRIMINAL APPLICATION (ABA) NO.660/2015**

**(Ghanshyam Sewakram Bisen ..vs.. State of Maharashtra through PSO P. S.
Goregaon, Tq. Dist. Gondia)**

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

Court's or Judge's orders.

Mr. Anil Mardikar, Senior Advocate for applicant.
Ms Ritu Kaliya with Mr. N. Jawade, A.P.P. for non applicant-State.

CORAM : A. B. CHAUDHARI, J.

DATE : JANUARY 5, 2016

Heard learned counsel for the parties.
Perused the reply. Perused the FIR.

Looking to the allegations and age of the prosecutrix namely; 30 years and looking to the transactions between the complainant and her husband in the grocery shop run by the applicant and further that the only ground claimed in reply is that Investigating Officer wants to record Section 164 Cr. P. C. statement of the complainant, I think, he should be released on anticipatory bail. The learned A.P.P., however, points out that after the interim order was passed, the applicant imparted threats to the complainant. Thus, care will have to be taken in respect of the prosecutrix and the witnesses.

Learned counsel for the applicant submits that the applicant would keep away from the place of residence of the prosecutrix namely; Janatola, Tq. Goregaon, Dist. Gondia and would reside elsewhere and

would not claim any modification of this order.

In that view of the matter, following order is passed:

ORDER

(i) Criminal Application No.660/2015 is allowed.

(ii) The applicant-Ghanshyam s/o Sewakram Bisen, in the event of his arrest in connection with Crime No.90/2015 registered with Police Station, Goregaon, Tq. Goregaon, Dist. Gondia for an offence punishable under Sections 376 (2) (n), 452, 506 of the IPC and Section 3 (1) (xi) (xii) of the SC & ST (Prevention of Atrocities) Act, be released on bail on he executing P.R. Bond in the sum of Rs.20,000/- with one surety in the like amount.

(iii) The applicant shall keep away from village Janatoa, Tq. Goregaon, Dist. Gondia till the completion of trial and intimation regarding his place of residence shall be given to the concerned Police Station. The applicant shall not apply for modification of this order.

(iv) The Police Station officer of Police Station, Goregaon, shall inform about this condition to the complainant and her family members.

(v) Final report be filed at the earliest.

JUDGE