

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

CRIMINAL APPLICATION (BA) NO.961/2015

Prashant Prakash Pawar

..Versus..

The State of Maharashtra, through Police Station Officer, Paratwada, Tq. Achalpur,
Distt. 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.

DATE : 18.2.2016

Heard Shri P.S. Patil, advocate for the applicant and Ms. N.P. Mehta, A.P.P. for the non-applicant.

The applicant is arrested in crime registered against him for the offence punishable under Section 376 of the Indian Penal Code. The complainant (prosecutrix) has made accusation against the applicant that while she was asleep in her hut with her four year old daughter and her brother, the applicant entered the hut and had forcible sexual intercourse with her.

Considering the nature of allegations and the fact that applicant has not been involved in any crime earlier, that charge-sheet is filed on

25th May, 2015 and that the non-applicant has not been able to show that custody of applicant is required for further investigation, in my view, the applicant is entitled for being released on bail. Hence, the following order:

- (i) The applicant having been arrested in Crime No.104/2015 registered by the non-applicant, be released on bail on furnishing P.R. bond in the sum of Rs.10,000/- and one solvent surety in the like amount.
- (ii) The applicant shall attend every date of sessions trial unless he is granted exemption from personal appearance by the Sessions Court. If the applicant fails to attend any date of sessions trial, without seeking exemption from the Sessions Court, this order shall stand recalled.
- (iii) The application is allowed in the above terms.
- (iv) No orders as to costs.

JUDGE