

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

CRIMINAL APPLICATION (BA) NO.971/2015

Khanna @ Rajendra Rajkumar and another
..Versus..

State of Maharashtra, through P.S.O. P.S. Gondia, Tq. and Distt. 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.

DATE : 4.3.2016

Heard Shri I. S. Charlewar, advocate for the applicants
and Ms. R.V. Kaliya, A.P.P. for the non-applicant.

The applicants are arrested in crime registered against
them for the offence punishable under Section 376(D) of the
Indian Penal Code and Section 4, 5(1) and 6 of the Protection
of Children From Sexual Offences Act, 2012.

The accusations against the applicants are that they
have committed aggravated penetrative sexual assault on the
victim (aged about 16 years), forcibly.

I have examined the medical examination report of the
victim and the applicants and other relevant material of the

charge-sheet.

Co-accused Gulshan is released on bail by Juvenile Court. The charge-sheet is filed. The non-applicant has not been able to show that the custody of applicants is required for further investigation. In view of the above, I am convinced that the applicants are entitled to be released on bail.

Hence, the following order:

- (i) The applicants having been arrested in Crime No. 224/2014 registered against them by the non-applicant, be released on bail on furnishing P.R. bond in the sum of Rs. 10,000/- (Rs. Ten Thousand Only) and one solvent surety in the like amount.
- (ii) The learned A.P.P. has submitted that the applicants are residing in the same locality where the victim resides.

The applicants shall stay outside Gondia and shall not enter Gondia without prior permission of the Investigating Officer.

The applicants are permitted to enter Gondia only to attend the sessions trial and if permitted by the Investigating Officer.

- (iii) The applicants shall attend the sessions trial regularly before the Sessions Court.

In default on the part of the applicant/applicants to attend the sessions trial on any date, without seeking exemption for the Sessions Court, this order shall stand recalled in respect of concerned applicant.

(iii) The application is allowed in the above terms.

JUDGE

Tambaskar.