

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

CRIMINAL APPLICATION NO. 1031 OF 2017

Shivanand Basappa Santi	... Applicant.
Versus	
State of Maharashtra	... Respondent

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Mr. Machhindra A. Patil for the Applicant.
Mr. S.R. Agarkar, APP for the State.

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CORAM : T. V. NALAWADE, J.

DATE : 16th AUGUST, 2017

P. C. :

1. This application is filed for bail in C.R.No. 160 of 2016 registered at Jath Police Station, Tal. Jath, District Sangli, and the crime is registered for offences punishable under sections 376(2)(g), 452 and 506 of the Indian Penal Code.
2. Heard both sides.
3. The case is filed for aforesaid offence. The papers of investigation were available.
4. The prosecutrix was aged about 19 years and she was a newly married lady. She has made allegations that on 23.10.2016

at about 9.30 a.m. when she was present in the house, present applicant-accused entered the house under the pretext that he wanted tadpatri for agricultural purpose. When she was collecting tadpatri for handing it over to the applicant, the applicant held her and forcibly raped her. She has made allegations that then she went to the house of Chandrakala and disclosed the incident to her. The report was given to the police on the same day and the crime came to be registered at 20.30 hrs.

5. This Court has carefully seen the record of medical evidence of the prosecutrix. There is no report in respect of stain.

6. In view of the nature of material as against the present applicant, this Court holds that it is not desirable to keep the applicant behind the bar till the disposal of the case filed against him. Hence the following order:

O R D E R

- (a) The applicant be released on bail on furnishing P.B. in the sum of Rs.30,000/- (Rupees Thirty Thousand only) with one surety in the like amount.
- (b) The applicant not to tamper with the prosecution witnesses.

- (c) The applicant shall not commit similar offence.
 - (d) The applicant shall not enter the village of the prosecutrix till the disposal of the case filed against him.
7. The Application is allowed and is disposed of.

(T. V. NALAWADE, J.)