

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

BAIL APPLICATION NO.1856 OF 2017

Rohidas Maruti Langhi

..Applicant.

Vs,

The State of Maharashtra

..Respondent.

Mr. P.G.Sarda i/by Sachin Zalte for the Applicant.

Mr. A.A.Palkar, APP. for the State.

CORAM : A.S.GADKARI, J.

DATE : 13th September, 2017.

P.C.

1. This is an application under Section 439 of the Cr.P.C. for bail in CR No. 92 of 2016 dated 21.4.2016 registered with Khed Police Station, District Pune under Section 376 of the Indian Penal Code.

2. The first information report is lodged by Smt. Tulsabai Supe aged about 30 years alleging the act as contemplated under Section 376 of the Indian Penal Code on the date of incident at about 5.00 p.m. in the agricultural field near their village. It is further alleged that when the applicant was committing the said act as contemplated under Section 376 of the I.P.C. two witnesses namely Raghunath Sakharam Ghotkar and Arunabai Katale came at the spot and rescued the first informant from the clutches of the applicant. During the course of investigation the applicant came to be arrested on 23.5.2016 and after completion of investigation police have submitted charge sheet.

3. Perused the charge sheet annexed to the application. The

medical evidence on record prima facie does not support the case of the informant and it prima facie appears that the first informant was a consenting party to the alleged act of the applicant. It further prima facie appears that when the said two witnesses Rghunath Ghotkar and Arunabai Katale saw the applicant and the first informant in compromising position, the first informant raised hue and cry for the same with a view to save her reputation. In view thereof, the applicant has made out a case for his release on bail.

Hence, the following order.

- a) The applicant be released on bail in CR No.180 of 2016 dated 21.4.2016 registered with Khed Police Station, District Pune on his furnishing PR bond of Rs.15,000/- with one or two local sureties in the like amount.
- b) After his release from Jail the applicant shall attend the Khed Police Station, District Pune on every first Monday of the month between 10.00 a.m. to 2.00 p.m.
- c) The applicant shall also attend all the dates before the Trial Court.
- d) Any two consecutive defaults in complying with the aforesaid conditions, shall attract the provisions of cancellation of bail.
- e) Application is allowed in the aforesaid terms.

(A.S. GADKARI, J.)