

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

CRIMINAL APPLICATION (ABA) NO.105/2017

Sau. Sunita Dattatraya @ Baban Mitkari and others
 ..Vs..

State of Maharashtra, through Police Station Officer Shirpur, Tah. Malegaon,
 Distt. Washim

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

Court's or Judge's orders

 Shri R.D. Wakode, Adv. for the applicants.
 Shri T.A. Mirza, A.P.P. for the respondent / State.

CORAM : Z.A.HAQ, J.

DATE : 16.6.2017.

Heard.

The applicants, apprehending arrest in crime registered against them for the offence punishable under Sections 354-C, 504, 506(2) read with Section 34 of the Indian Penal Code, have sought pre-arrest bail.

The crime is registered on the complaint lodged by Puja Pralhad Sarode aged about 17 years that while going to her field along with her sister she stopped to urinate abutting Yeota - pandhan road and at that time the applicant No.2 - Dattatraya took a snap in his cell phone and the applicant Nos.3 to 5 laughed at her. It is alleged that the applicant No.2 - Dattatraya then caught hold of hand of the victim and tried to drag her with ill-motive. The applicant No.3 - Arun is real younger brother of applicant No.2 - Dattatraya and applicant No.4 - Sushil and applicant No.5 - Akshay are

sons of applicant No.2 - Dattatraya. The applicant No.1 is wife of applicant No.2. The applicant No.1 is Sarpanch of village. The facts on record show that there is political rivalry between the family of the complainant and the applicant No.1.

The application is opposed on the ground that the complainant is minor and the offence committed by the applicants is serious in nature.

This Court has granted protection to the applicants by order dated 17th February, 2017. The investigating agency has not made any grievance that the applicants have misused the protection granted by this Court and have not co-operated with the investigation. Considering the status of the applicants as shown in the cause title of the application, the facts of the case and the nature of accusations and as the non-applicant has not been able to show that custody of the applicant is required for further investigation, the interim order granted by this Court on 17th February, 2017 is confirmed. The application is **allowed** accordingly.

JUDGE