

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

Criminal Application (BA) No. 202 of 2017

Arvind v. State of Maharashtra

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

Court's or Judge's orders

Shri B. N. Jaipurkar, Advocate for applicant
Shri V. P. Maldhure, APP for respondent-State

Coram : S. B. Shukre, J

Dated : April 6, 2017

Heard.

Perused the charge-sheet and reply of the prosecution. The First Information dated 17.8.2015 shows that the informant knew all the accused persons by face. However, in the test identification parade that was held, the informant could identify the other accused persons and not the present applicant. The investigation is over. The applicant is in jail since 17.8.2015. The medical report of the applicant who appears to be of the age of 35 years, also does not help much in this case inspite of the fact that the informant alleges gross sexual intercourse by seven persons.

In the circumstances, I am of the view that now this application can be allowed.

Application is allowed and it is directed that the applicant be released on bail in Crime No. 191/2016 registered with Police Station, Ambazari, Nagpur for the offences punishable under Sections 376 (D), 377, 363, 395 read with Section 34 of the Indian Penal Code read with Section 3 (1) (ii) (5-A) of the SC/ST (Prevention of Atrocities) Act on his furnishing PR Bond of Rs. 25,000/- together with one solvent surety in the like amount, on the

following conditions :

- (a) Applicant shall regularly attend all dates of hearing as may be fixed in the trial by the Court.
- (b) Applicant shall cooperate with the trial Court in expeditious disposal of the trial.
- (c) Applicant shall not tamper with the prosecution evidence in any manner.

Application is disposed of.far

JUDGE

joshi