

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

CRIMINAL APPLICATION (BA) NO.328/2017

Rajesh S/o Sundarlal Karochi

..Vs..

State of Maharashtra, through Police Station Officer, Police Station, Paratwada,
Tah. Achalpur, Distt. Amravati

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

Court's or Judge's orders

Shri K.B. Zinjarde, Adv. for the applicant.
Shri S.P. Deshpande, A.P.P. for the respondent / State.

CORAM : Z.A.HAQ, J.

DATE : 19.6.2017.

Heard.

The applicant is arrested in crime registered against him for the offence punishable under Sections 363, 366A and Section 376 of the Indian Penal Code and Section 4 of the Protection of Children from Sexual Offences Act, 2012. The crime is registered on the complaint lodged by mother of victim (above 17 years but below 18 years of age). The accusations against the applicant are that promising to marry, the accused has sexually assaulted the victim. The facts on record show that some relative of the victim saw the victim alongwith the applicant at bus stop and took them to police station where the mother of victim came and complaint was lodged.

The investigation is complete and charge-sheet is filed. The non-applicant has not been able to show that the custody of the applicant is required

for further investigation. The application is opposed on the ground that the applicant claims to be resident of Baitul (M.P.) and if he is released on bail, he will abscond and will not be available for the trial.

Considering the facts of the case, in my view, the applicant is entitled to be released on bail, however, on conditions as imposed by this order.

The applicant having been arrested in Crime No.446/2016 registered by the non-applicant, he be released on bail on executing P.R. bond for Rs.20,000/- (Rs. Twenty Thousand) and furnishing two solvent sureties in the like amount.

Both the solvent sureties shall be furnished by blood relative of the applicant residing at Paratwada, Distt. Amravati

The investigating agency shall verify that the person furnishing surety is blood relative and permanent resident of Paratwada.

The applicant shall attend the trial before the Sessions Court on every date unless granted exemption by the Sessions Court.

The application is **allowed** in the above terms.

JUDGE