

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

CRIMINAL APPLICATION (BA) NO.330/2017

Bacholi S/o Sihambar Batho

..Vs..

State of Maharashtra, through Police Station Officer, Police Station, Ramnagar,
Distt. Chandrapur

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

Court's or Judge's orders

Ms. Rohini Khapekar, 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 on 5th December, 2016 in crime registered against him for the offence punishable under Sections 376(2)(f)(i)(j) and 506 of the Indian Penal Code and Sections 4, 5(i)(m)(n) and 6 of the Protection of Children from Sexual Offences Act, 2012. The accusations against the applicant are that he has committed crime on the victim (aged about 3 years) when the victim was in his custody, he being cousin grand-father of the victim. Considering the facts of the case and the age of the victim, at this stage, in my view the relevant material is the report of medical examination of the victim from which the investigating agency has not been able to point out anything adverse.

The investigation is complete and charge-sheet is filed on 26th February, 2017. The non-applicant has not been able to show that custody of

applicant is required for further investigation.

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.1300/2016 registered by the non-applicant, he be released on bail on executing P.R. bond for Rs.50,000/- (Rs. Fifty Thousand) and furnishing two solvent sureties in the like amount.

The applicant shall not enter district Chandrapur except for attending the trial before the Sessions Court till the trial is concluded.

If the applicant intends to enter Chandrapur district for any other work / purpose, he shall seek prior permission from the Special Court.

The learned Advocate for the applicant has stated that the applicant will be residing at Nagpur till the trial is concluded.

The applicant shall be released only after he furnishes address where he will be residing till the trial concludes and the correctness of the address is verified.

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

JUDGE