

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

CRIMINAL APPLICATION (BA) NO.433/2017

Shri Ganesh Narayan Ghugal

..Vs..

State of Maharashtra, through Police Station Officer, Maregaon, Tah.
Maregaon, Distt. Yavatmal

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

Court's or Judge's orders

Shri P.M. Pande, Adv. for the applicant.
Shri N.R. Patil, A.P.P. for the non-applicant / State.

CORAM : Z.A.HAQ, J.

DATE : 24.7.2017.

Heard.

The applicant is arrested on 19th October, 2016 in connection with crime registered against 8 persons (including the applicant) for the offence punishable under Sections 376(D), 341 and 363 of the Indian Penal Code and Sections 3(1)(xii) and 3(2)(v) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities), Act.

The application is opposed on the ground that there is ample material in the charge-sheet which shows involvement of the applicant in the commission of the crime and that the applicant is residing in the same area where the prosecutrix resides.

To counter the submissions made on behalf of the investigating agency, as recorded above, the learned

Advocate for the applicant, on instructions, has stated that till the conclusion of trial the applicant will not enter village Kumbha, Tah. Maregaon, Distt. Yavatmal and will stay at a distant place and the address where the applicant will be residing will be supplied to the investigating agency.

The investigation is complete and charge-sheet is filed on 13th January, 2017. The non-applicant has not been able to point out that further custody of applicant is required for investigation.

In the facts of the case, following order is passed:

The applicant having been arrested in connection with Crime No.267/2016 registered by the non-applicant, he be released on bail on executing P.R. bond for Rs.25,000/- (Rs. Twenty Five Thousand) and furnishing two solvent sureties in the like amount.

Till the conclusion of trial, the applicant shall not enter village Kumbha, Tah. Maregaon, Distt. Yavatmal unless granted permission by the Special Court.

The applicant shall give details of the address where he would be residing till the conclusion of trial.

The applicant shall also furnish his cellphone number and cellphone numbers of the persons who will stand surety for him.

The applicant shall be released on bail only after the above formalities are completed.

The applicant shall attend the trial regularly on every date unless granted exemption by the Special

Court.

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

JUDGE

Tambaskar.