

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

CRIMINAL APPLICATION (ABA) NO.414/2017

Pratap Pandurang Kause

..Vs..

State of Maharashtra, through Police Station Officer, Police Station, Amdapur,
Tq. Chikhli, Distt. Buldhana

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

Court's or Judge's orders

Shri A.S. Siddiqui, Adv. h/f Shri A.B Mirza, Adv. for the applicant.
Shri S.P. Deshpande, A.P.P. for the respondent / State.

CORAM : Z.A.HAQ, J.

DATE : 3.7.2017.

Heard.

The applicant, apprehending arrest in connection with crime registered against the applicant and another person for offence punishable under Sections 341, 342, 366 and 376(d) read with Section 34 of the Indian Penal Code, has sought pre-arrest bail.

The crime is registered on the complaint lodged by prosecutrix, aged about 35 years, that forcible intercourse is committed by co-accused Shyam and the applicant has helped the co-accused in commission of crime.

The report of medical examination of prosecutrix *prima facie* does not support her claim. The facts on record show that before the prosecutrix lodged the complaint, the applicant had lodged complaint against about 16 persons, some of whom are closely related to the prosecutrix.

This Court has granted protection to the

applicant by order passed on 19th June, 2017 with condition that the applicant shall attend police station and co-operate with the investigating agency. The investigating agency has not made any complaint that the applicant has not co-operated with it. The non-applicant has not been able to point out that custody of applicant is required for further investigation. In the facts of the case, order passed by this Court on 19th June, 2017 granting protection to the applicant is confirmed.

The application is **allowed** accordingly.

JUDGE

Tambaskar.