

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

CRI. APPLICATION (BA) NO. 546 OF 2017

(HARESH BABUBHAI PARMAR...VS.. STATE OF MAH. THR. P.S.O. BHADRAWATI, DISTT.
CHANDRAPUR)

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

Court's or Judge's orders

Shri R.M.Daga, Advocate for Applicant.
Shri Neeraj Patil, A.P.P. for Non-applicant.

CORAM : Z.A.HAQ, J.

DATED : JULY 01, 2017.

The applicant is arrested on 10th May, 2017 in crime registered against him for the offences punishable under Sections 376(2)(n), 292(2)(a) and 506 of the Indian Penal Code and Section 67(a) of the Information Technology Act, 2008. The crime is registered on the complaint lodged by the prosecutrix aged about 35 years that the applicant developed intimacy with the prosecutrix through Face-Book and then visited her at her residence and threatening to murder her 4 year old son, committed rape on her, took obscene photographs and then repeated the crime threatening that if the prosecutrix does not accede to the demand of the accused he will make the photo viral.

The learned advocate for the applicant has submitted that the story put-forth by the prosecutrix is improbable as the applicant is resident of Ankleshwar in Gujrat and the prosecutrix is residing at Bhadrawati in Maharashtra and as per the prosecutrix, the crime is committed at Bhadrawati in the house of the applicant situated in a colony which is thickly populated.

Be that as it may, considering the facts of the case and as the non-applicant has not been able to point out that the custody of the applicant is required for further investigation, following order is passed:

The applicant having been arrested in Crime No. 448 of 2017, registered by the non-applicant, he be released on bail on executing P.R. Bond for Rs. Twenty Thousand and furnishing two solvent sureties in the like amount.

As the non-applicant expressed apprehension that it will be difficult to secure the presence of the applicant at trial, the applicant has filed affidavit sworn by Smt. Gori Haresh Parmar (wife of the applicant) stating that one solvent surety will be furnished by Radhaben Babubhai Parmar (mother of the applicant) and another solvent surety will be furnished by Smt. Panchshila Dashrath Raut, who is related to the applicant, as stated in paragraph 2 of the affidavit.

The applicant shall be released if these two persons i.e. Radhaben Babubhai Parmar, resident of Kidiyanagar Rapar Kachchh, Gujrat and Smt. Panchshila Dashrath Raut, resident of Abdalpur, Chandur Bazar, District : Amravati furnish solvent sureties.

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

CRI.APPLN.(APPP) NO.993/2017.

In view of disposal of the bail application, the application praying for time to file say of prosecution does not survive, hence, it is **disposed of**.

JUDGE