

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

**CRIMINAL APPLICATION (BA) NO.652/2017**

Mr. Ramesh S/o Suklal Gawde

..Vs..

State of Maharashtra, through Police Station Officer, Police Station Etapalli,  
Tah. Etapalli, Distt. Gadchiroli

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

Shri Amit Kinkhede, Adv. for the applicant.  
Shri T.A. Mirza, A.P.P. for the respondent / State.

**CORAM : Z.A.HAQ, J.**

**DATE : 18.7.2017.**

Heard.

The applicant is arrested on 16<sup>th</sup> July, 2016 in connection with Crime No.19/2016 registered for the offence punishable under Sections 376(2)(i)(n), 363, 342, 341, and 506 read with Section 34 of the Indian Penal Code and Sections 3 and 4 of the Protection of Children from Sexual Offences Act on the accusations that the applicant has committed sexual assault on the victim, aged about 14 years.

The learned Advocate for the applicant has submitted that the investigation is complete and charge-sheet is filed on 13<sup>th</sup> October, 2016 and there is nothing to be investigated further. It is argued that the report of medical examination of the prosecutrix shows that the claim of the prosecution regarding sexual assault

is doubtful.

Be that as it may, the applicant aged about 26 years, claims to be a labourer and has stated that he is not involved in any other crime / offence. 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, following order is passed:

The applicant having been arrested in Crime / F.I.R. No.19/2016 registered by the non-applicant, he be released on bail on executing P.R. bond for Rs.20,000/- (Rs. Twenty Thousand) and furnishing one solvent surety in the like amount.

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

JUDGE