

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

CRIMINAL APPLICATION (BA) NO. 739 OF 2017

(NISAR JABBAR SHEIKH...VS...STATE OF MAH. THR. P.S.O. PS BHADRAWATI, DIST.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. Patwardhan, Advocate for Applicant.
Shri A. D. Sonak, A.P.P. for Non-applicant.

CORAM : Z.A.HAQ, J.

DATED : 4th AUGUST, 2017.

Heard.

The applicant is arrested on 7th June, 2017 in connection with Crime No.608 of 2017 for offence punishable under Sections 376(2)(n), 354-D(1)(2), 450, 506, 323 of the Indian Penal Code, Section 67(A) of the Information Technology Act and Sections 3(2)(va), 3(1)(w)(i), 3(2)(5) of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

Crime is registered on the complaint lodged by prosecutrix, aged about 28 years, alleging that the applicant had come to the house of prosecutrix alongwith food (Biryani) which prosecutrix had eaten and then she felt drowsiness and became unconscious and when she regained consciousness, she found that the applicant was not present and she felt uneasiness and then realized that the applicant has committed crime as alleged.

According to the prosecutrix, the incident

occurred in October, 2016, the complaint is lodged on 7th June, 2017. The prosecutrix alleges that the applicant continues to threaten and harass her stating that he will make viral the obscene video recorded by him.

The application is opposed on the ground that the applicant is habitual offender. It is submitted that if the applicant is released on bail, he may threaten the prosecutrix.

The applicant is in jail since about four weeks. The non-applicant has not been able to point out that further custody of the applicant is required for investigation.

Considering the facts of the case and nature of accusations, the following order is passed :

The applicant having been arrested in connection with Crime No.608 of 2017 registered by the non-applicant, he be released on bail on executing P. R. Bond for Rs.20,000/- and furnishing one solvent surety in the like amount.

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

JUDGE

PBP