

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

Criminal Application (BA) No. 1027 of 2016

Ajay v. State of Maharashtra

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

Court's or Judge's orders

 Shri Saurabh choudhari, Advocate for applicant
 Shri M. K. Pathan, Advocate for respondent-State

Coram : S. B. Shukre, J

Dated : March 29, 2017

Heard learned counsel for the applicant and learned Additional Public Prosecutor for respondent-State.

Though it is alleged that at the time of incident the prosecutrix was aged about 17 years, from the material available on record at this stage it appears that the possibility of the prosecutrix having understood the consequences of her conduct, cannot be rejected. The applicant is in jail since 4th May 2016 and as submitted by learned counsel for the applicant, the trial is yet to commence. The applicant is also a young person, aged about 23 years.

In these circumstances, I am of the view that now this application can be allowed.

Application is allowed and it is directed that the applicant shall be released on bail in Crime No. 117/16 registered with Police Station, Manora, District Washim for the offences punishable under Sections 363, 366, 376, 506 of the Indian Penal Code and Sections 3 and 4 of the Prevention of Children from Sexual Offences Act upon his furnishing PR Bond of Rs. 20,000/- together with one solvent surety in the like sum, on the following conditions:

(i) Applicant shall regularly attend the trial Court on

all dates of hearing.

(ii) Applicant shall not tamper with prosecution evidence in any manner whatsoever,

Application is disposed of.

JUDGE

joshi