

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

CRIMINAL APPLICATION (BA) NO.1178/2017

Nikhil Bhujang Sontakke ..vs.. The State of Maharashtra thr. PSO P.S.
Kondhali, Tq. Katol, Dist. Nagpur.

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

Court's or Judge's orders.

Mr. A. Raghute, Advocate for applicant.
Mr. V. A. Thakare, A.P.P. for non applicant-State.

CORAM : V.M. DESHPANDE, J.
DATED : DECEMBER 13, 2017

1. Heard Mr. Raghute, Advocate for applicant
and Mr. Thakare, A.P.P. for non applicant-State.

2. The applicant is arrested on 30.10.2011 in
connection with Crime No.279/2017, registered with
Police Station, Kondhali, Dist. Nagpur for an offence
punishable under Sections 354 (A) and 506 of the Indian
Penal Code read with Section 8 of the Protection of
Children from Sexual Offences Act and Section 3 (ii) (v)
and 3 (1) (w) (I) (2), 3 (2) (va) of the Scheduled Castes
and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

3. The victim is aged about 17 years. She has
lodged an FIR in respect of the incident committed during
the night of 29.10.2017 and 30.10.2017.

The application is opposed by the learned A.P.P. on the ground that the investigation is underway and the offence is of serious nature.

4. I have gone through the FIR and also the investigation papers. It is crystal clear from the investigation papers that the first informant has stated that the applicant has tried to establish sexual relation with her. In my view, further custodial presence of the applicant is not necessary. Hence, following order is passed.

ORDER

(i) Criminal Application No.1178/2017 is allowed.

(ii) The applicant-Nikhil s/o Bhujang Sontakke, be released on bail in connection with Crime No.279/2017, registered with Police Station, Kondhali, Dist. Nagpur for an offence punishable under Sections 354 (A) and 506 of the Indian Penal Code read with Section 8 of the Protection of Children from Sexual Offences Act and Section 3 (ii) (v) and 3 (1) (w) (I) (2), 3 (2) (va) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989, on he executing P.R. Bond in the sum of Rs.25,000/- with two solvent sureties in the like amount.

(iii) The applicant shall attend Police Station, Kondhali once in a week i.e. on every Sunday between 03.00 p.m. to 5.00 p.m. till the culmination of the trial.

(iv) The applicant shall not extend any threats to the victim.

The application is disposed of.

JUDGE

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