

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

CRIMINAL APPLICATION (ABA) NO.1231/2017

Sagar Narayan Kute ..vs.. State of Maharashtra through PSO P.S. Malegaon,
Dist. Washim.

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

Court's or Judge's orders.

Mr. V. B. Gawali, Advocate for applicant.
Mr. T. A. Mirza, A.P.P. for non applicant-State.

CORAM : V.M. DESHPANDE, J.
DATED : DECEMBER 20, 2017

1. Heard Mr. V. B. Gawali, Advocate for applicant
and Mr. T. A. Mirza, A.P.P. for non applicant-State.

2. This is an application for grant of regular bail.
The applicant is arrested in connection with Crime
No.279/2017 registered with Police Station, Malegaon, Tq.
Malegaon, Dist. Washim for an offence punishable under
Sections 366-A, 376 (2) (i) of the Indian Penal Code and
Section 3 (1) (12), 3 (1) (w) (i) (ii) of the Scheduled Castes
and Scheduled Tribes (Prevention of Atrocities) Act and
Section 4 of the Protection of Children From Sexual Offences
Act, 2012.

3. The investigation is already over. The charge-
sheet is also filed in the matter. The applicant is arrested on
23.07.2017 and since then he is in jail.

4. Looking to the nature of accusation made in the FIR and looking to the fact that the charge-sheet is already filed on record and the applicant is only 20 years of age, in my view, further custodial presence of the applicant is not warranted. Hence, following order is passed.

ORDER

- (i) Criminal Application No 1231/2017 is allowed.
- (ii) Applicant-Sagar Narayan Kute, be released on bail in connection with Crime No.279/2017 registered with Police Station, Malegaon, Tq. Malegaon, Dist. Washim for an offence punishable under Sections 366-A, 376 (2) (i) of the Indian Penal Code and Section 3 (1) (12), 3 (1) (w) (i) (ii) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act and Section 4 of the Protection of Children From Sexual Offences Act, 2012, 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 the sessions case and shall extend full cooperation to the learned Judge who will be trying the said sessions case.
- (iv) The applicant shall not extend any types of threats to the victim as well as prosecution witnesses.

JUDGE