

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

**CRIMINAL BAIL APPLICATION NO.135 OF 2018
IN
CRIMINAL APPEAL NO.74 OF 2018**

Mr. Ajay Ramavtar Chaurasiya	... Applicant
V/s.	
The State of Maharashtra & Ors.	... Respondents

Mr. Aniket Vagal for the Applicant.
Ms. R.M. Gadhvi, APP for the Respondent State.

CORAM : A.S.GADKARI, J.

DATE : 22nd MARCH 2018

PC.:

1. This is an application for suspension of sentence and for releasing the applicant on bail.
2. The applicant is convicted under Section 376, 324, 323, 354(d) and 342 of Indian Penal Code and sentence to suffer maximum rigorous imprisonment for ten years and to pay a total fine of Rs.15,000/- by the learned Additional Sessions Judge, Thane in Special Case No.408 of 2016 by its Judgment and Order dated 04.12.2017.
3. The record indicates that, the evidence of prosecutrix is full of omissions, thereby *prima facie* creating a doubt about the incident in

question as narrated by her. The applicant is in jail since 14.08.2016 and as of today has undergone about 18 months of actual imprisonment.

4. In view thereof, I am inclined to release the applicant on bail.

Hence, the following order.

(a) The applicant be released on bail in Special Case No.408 of 2016 arising out of C.R.No.I-221 of 2016 registered with Wagle Estate Police Station, Thane on his furnishing PR bond of Rs.25,000/- with one or two solvent local sureties in the like amount.

(b) During the pendency of the appeal, the applicant shall attend the concerned Police Station on every first Monday of the month between 11.00 a.m. to 1.00 p.m. If the said Monday is a Court holiday/public holiday the applicant shall attend the Court on the immediate next working day.

5. Application is allowed in the aforesaid terms.

(A.S.GADKARI, J.)