

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

Criminal Application [BA] No.181 of 2018

Aakush Natthu Randive

vs.

State of Maharashtra, through P.S.O. Nagbhid, District Chandrapur

Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's Orders

Shri Rohit Joshi, Advocate for the Applicant.
Ms. Ritu Kalia, A.P.P. for the Non-Applicant/State.

CORAM : S.B. SHUKRE, J.
DATE : 26th MARCH, 2018.

Heard.

Perused the charge-sheet and the reply of the prosecution. There is no allegation against this applicant that he was involved in the sexual assault on the prosecutrix. The only allegation against him is that he recorded the images of the CCTV footage, when the footage was played on the LCD Monitor. These images, it is alleged, depicted some acts of sexual intercourse between the prosecutrix and accused no.1. The allegation of this applicant recording in his mobile phone the images being displayed on the LCD Monitor are made by the co-accused. The offences that are alleged against this applicant are punishable with imprisonment for 3 to 5 years.

Having regard to the nature of allegations, the person making the allegations against this applicant and the punishment prescribed in law, I do not think that any purpose would be served by keeping the applicant behind the bar at the stage, when the investigation is complete and the charge-sheet has been filed. That apart, there does not appear to be any reasonable possibility of the applicant fleeing from justice

or tampering with the prosecution witnesses. Nevertheless, suitable conditions can be imposed.

The application is, therefore, allowed. It is directed that the applicant be released on bail on his furnishing a P.R. Bond of Rs.30,000/- together with two solvent sureties in the like sum on the following conditions :

- i. The applicant shall not tamper with the prosecution witnesses in any manner.
- ii. He shall regularly attend the court and co-operate with the trial Court in expeditious disposal of the case.
- iii. If the applicant remains absent on the dates fixed in the trial by the Sessions Court without any reasonable excuse, the bail so granted to the applicant shall liable to be cancelled at the instance of the prosecution.

The application is disposed of in the above terms.

JUDGE

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