

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

Criminal Application (BA) No. 302 of 2018

Ashok 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 R. V. Khaparde, Advocate for applicant
Shri S. D. Sirpurkar, APP for respondent-State

Coram : S. B. Shukre, J

Date : 20.4.2018

Heard. Perused reply of the prosecution and the charge-sheet.

The allegation against this applicant is that he was instrumental in preparing a forged and fabricated Aadhar Card of the victim of the crime. I could not, however, come across any other allegation having been made against this applicant to the effect that at any point of time, he had had any sexual intercourse with victim of the crime. So, one has to see as to what sort of material has been collected by the investigating officer to prima facie substantiate the allegation of forged Aadhar Card by this applicant and on going through the charge-sheet, one gets disappointed.

Recovery of the documents from this applicant, prima facie, does not correspond to the allegation made against him. There is no material present on record which would priafacie indicate that this applicant played any role in fabricating some documents. The applicant is in jail since 7.10.2017.

With this nature of the evidence collected by the investigating officer and charge-sheet having been filed, I am

of the view that no purpose is going to be served by declining bail to this applicant.

Application is allowed and it is directed that the applicant be released on bail in Crime No. 184/2017 registered with Police Station, Jawaharnagar for the offences punishable under Sections 363, 366, 366 (a), 372, 376 (1) (2) (i) (J) (K) (N), 420, 468 and 471 read with Section 34 of the Indian Penal Code and Sections 4, 8 and 12 of the Protection of Children from Sexual Offences Act, 2012 on his furnishing PR Bond in the sum of Rs. 25000/- together with one solvent surety in the like sum, on the following conditions:

- (1) Applicant shall regularly attend the trial Court on all the dates fixed in the trial.
- (2) Applicant shall cooperate with the trial Court in expeditious disposal of the trial.
- (3) Applicant shall not tamper with prosecution evidence in any manner.

Disposed of.

JUDGE

joshi