

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

CRIMINAL APPLICATION (BA) 424 OF 2018

(Nanlal Devram @ Devlal Mali..vs.. State, thr PSO Borgaon Manju)

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

Court's or Judge's orders.

Shri U.J. Deshpande, counsel for applicant.
Shri V.A. Thakre, Addl. Public Prosecutor for respondent / State.

CORAM: ROHIT B. DEO, J.

DATE: 4th June, 2018.

Heard.

2 The applicant alongwith one Santosh Gawai and one Chhaya Sanise are arrayed as accused in crime 228 of 2016 registered at the Borgaon Manju Police Station for offence punishable under section 363, 366, 370 and 376(2) (N) read with section 34 of the Indian Penal Code. Chhaya and Santosh are granted anticipatory bail by this Court.

3 The victim lodged First Information Report on 8.8.2016 alleging that she was administered a sedative by Chhaya and Santosh and then taken to a place near Ujjain and sold to the applicant.

4 It is alleged in the First Information Report that the applicant confined her in his house for two months and subjected her to sexual intercourse. It is further stated that she left the said house without intimating anybody three days prior to lodging of the report. The victim states in the oral report that alongwith applicant his parents were also

residing in the same house.

5 Pursuant to the said report, the applicant was arrested on 17.12.2017. Prima facie, it appears that no investigation is conducted to verify the allegation that the victim was forcibly confined. Statements of neighbours are not recorded. My attention is invited to a statement of a relative of the applicant which is to the effect that the applicant purchased the victim. Other than the said statement, no other evidence is brought to my notice to suggest that the victim was forcibly confined in the house of the applicant. In this view of the matter, I am inclined to allow the application.

6 The applicant be released on furnishing bond of Rs. 15,000/- alongwith a solvent surety of the like amount.

7 The applicant shall cooperate in expeditious disposal of the trial.

8 The applicant shall attend the dates of hearing without fail, and failure to do so, shall entitle the State to seek cancellation of bail.

9 The applicant shall not tamper with the evidence nor shall the applicant directly or indirectly attempt to influence the witnesses in any manner.

JUDGE

RS Belkhede, P.A.