

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

CRIMINAL APPLICATION (BA) NO.455/2018

(Gajanan Shankarrao Dhoke Vs. State of Maharashtra, through P.S.O. PS Warud,)

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

Court's or Judge's orders.

Shri G.G.Bade, Advocate for applicant.
Shri A.V.Palshikar, APP for non-applicant/State.

CORAM : S. B. SHUKRE, J.
DATE : APRIL 27, 2018

Notice. Shri Palshikar, learned APP waives
it. The reply of the prosecution is taken on record.

Heard Shri Bade, learned Counsel for the
applicant and Shri Palshikar, learned APP for the State.
Perused the reply of the prosecution and the case diary.

The nature of allegation made against this
applicant is such that even on the first impression, one
would like to look for some other material to give
assurance that the allegations are prima facie genuine.
The learned APP for the State submits on the basis of
instructions that have been received from the
Investigating Officer that inspite of some calls made to
the complainant/prosecutrix for presenting herself before
the Medical Officer for her medical examination, she has
avoided to do so. The prosecutrix is not a small girl. She
is a woman of about 30 years of age.

The custodial interrogation of the applicant is no longer required. Considering the nature of the material available on record and discussed earlier, I do not think that any purpose would be served by keeping the applicant behind the bars any more.

In the result, the application is allowed. It is directed that the applicant be released on bail on his furnishing PR Bond of Rs.30,000/- together with one solvent surety in the like sum on the following conditions

- (i) The applicant shall attend concerned police station on every Sunday between 5 and 6 p.m. and also on such occasion as may be required by the police till the charge sheet is filed.
- (ii) The applicant shall co-operate with the trial Court in expeditious disposal of the case.
- (iii) The applicant shall not tamper with the prosecution witnesses.

The application stands disposed of.

JUDGE

Andurkar.