

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

CRIMINAL APPLICATION (BA) NO.494 OF 2018

(Swati w/o. Naresh Meshram .vs. State)

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

Court's or Judge's orders

Mr.A.S.Ambatkar, Advocate for the applicant.
Mrs.M.A.Barabde, A.P.P. for the Respondent/State.

CORAM : M.G.GIRATKAR, J.

DATE : 11.5.2018.

Heard.

Perused the reply.

Charge sheet is already filed against the applicant. It is the case of prosecution that the husband of applicant molested the minor child. As per the report, the applicant along with her husband was residing in the house of complainant as tenant. Husband of present applicant started having sexual intercourse with the minor girl aged about 15 years. There was quarrel and they were ousted from the tenanted house. They started residing on rent near the School of the victim. It is the allegation against the present applicant that she used to visit her school and used to help her husband.

Now the charge sheet is filed. Investigation is complete. The main allegations are against the husband of applicant.

The application for bail came to be rejected by the Sessions Court on the ground that there is every possibility of the applicant visiting the school of victim

and tampering the evidence. However, if the applicant is directed not to reside at Ballarshah then the purpose of prosecution will be served. The applicant is in jail since 3.2.2018. As per the submission of the learned Counsel for the applicant, the applicant is having a minor child aged about 4 years. Looking to the allegations in the charge sheet, it appears that the main allegations in respect of the offence are against the husband of the present applicant. Hence, the applicant is entitled for bail. Therefore, the following order.

// ORDER //

The application is allowed.

The applicant be released on bail on furnishing solvent surety of **Rs.25,000/-**.

The applicant shall not enter in the Ballarshah city till the decision of Special Sessions Case No.26 of 2018.

She shall not visit the School of the victim.

She shall not tamper the evidence of prosecution witnesses in the case pending before the Special Judge, Chandrapur.

Breach of any of the above conditions shall amount to cancellation of bail.

JUDGE