

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

CRIMINAL APPLICATION (BA) NO.688 OF 2018

(Dayal s/o Ramji Chavhan Vs. State of Maharashtra thr. PSO PS Murtizapur (Gramin),
Dist. Akola)

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

Court's or Judge's orders.

Shri A.R. Chavhan, Advocate for Applicant.
Shri V.A. Thakare, APP for Non-Applciant/State.

CORAM: ROHIT B. DEO, J.

DATE: 3rd AUGUST 2018.

Heard.

2] The applicant is arrested by the Murtizapur (Gramin) Police in connection with Crime 120/2018 initially registered under the provisions of section 376 read with section 34 of the Indian Penal Code and sections 4, 6 and 17 of the Protection of Children from Sexual Offences Act, 2012.

3] The accusations against the present applicant is that he prescribed the medicines to abort the fetus of the victim. The Investigating Agency therefore, added sections 5(2)(3)(4), 7(3) of the Medical Termination of Pregnancy Act, 1971 and section 33 of the Medical Practitioner Act.

4] The affidavit-in-reply would show that the

prescription is seized. Test identification parade is also conducted. Although the charge-sheet is not filed as yet, in so far as role of the applicant is concerned, the investigation appears to be virtually complete. No useful purpose would be served by continuing the incarceration of the applicant.

5] The application is allowed.

[i] The applicant be released on bail on his furnishing a personal bond of Rs.15,000/- with a solvent surety of the like amount.

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

JUDGE