

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

CRIMINAL APPLICATION (BA) NO. 865/2018

Gajanan S/o Kisan Ardale (Jail)

..VS..

State of Maharashtra, Thru PSO, PS, Old City, Akola, Taluka District 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.S. Londhe, Advocate for the applicant
Shri T.A. Mirza, APP for the non-applicant/State

CORAM : Z.A.HAQ, J.
DATED : 08/10/2018

Heard.

The applicant is arrested on 24/04/2018 in connection with Crime No. 164/2018 registered by the non-applicant for the offences punishable under Section 377, Section 323, Section 506 of the Indian Penal Code r/w Section 8 and Section 12 of the Protection of Children from Sexual Offences Act. The accusations against the applicant are that he committed the crime/offence on a 12 year old boy.

The applicant claims to be a labourer and has stated that any other crime/offence is not registered against him. The investigation is complete and charge-sheet is filed. The non-applicant has not been able to substantiate that further custody of the applicant is necessary.

In the facts of the case, the following order is passed:

(i) The applicant having been arrested in connection with Crime No. 164/2018 registered by the non-applicant, he be released on bail on furnishing cash security of Rs. 20,000/- and two solvent sureties for the like amount. Out the two solvent sureties, one solvent surety would be by the blood relative of the applicant.

(ii) The applicant shall not enter within the radius of three kilometers of the area where the victim resides.

(iii) The applicant shall attend the Sessions trial on every date unless granted exemption by the Sessions Court.

If the applicant fails to attend the trial on any date without seeking leave of the Sessions Court, the learned Sessions Judge shall refer the matter for recalling of this order.

(iv) The Sessions trial shall be completed within four months.

(v) The cash security that would be deposited by the applicant shall be treated as Muddemal and orders regarding its disbursal shall be passed at the time of conclusion of the trial.

The application is **allowed** in the above terms.

CRIMINAL APPLICATION (APPP) NO. 1595/2018

In view of disposal of the bail application, this application praying for grant of time to file certified copy of the order dated 28/08/2018 does not survive. It is **disposed** accordingly. No costs.

JUDGE*Ansari*