

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

CRIMINAL APPLICATION (BA) NO. 884/2018

Shaikh Akhil S/o Shaikh Kadir (Jail)

..VS..

State of Maharashtra, Thru PSO, PS, Khadan, 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 V.P. Gangane, APP for the non-applicant/State

CORAM : Z.A.HAQ, J.

DATED : 08/10/2018

The applicant is arrested on 14/04/2018 in connection with Crime No. 195/2018 registered by the non-applicant against five accused (including the applicant) for the offences punishable under Section 370A, Section 376 and Section 34 of the Indian Penal Code r/w Section 3 and Section 4 of the Protection of Children from Sexual Offences Act. The FIR is registered on the complaint lodged by the informant (aged about 17 years at the time of the alleged incident) who happens to be the daughter of the applicant from his first wife.

On query, the learned APP has submitted that at present, the victim (informant) is residing with her husband/Naim Shah at Akola.

Any other crime/offence is not registered against the applicant. 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. 195/2018 registered by the non-applicant, he be released on bail on furnishing cash security of Rs. 50,000/- and two solvent sureties for Rs. 20,000/- each.

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

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

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

CRIMINAL APPLICATION (APPP) NO. 1646/2018

In view of disposal of the bail application, this application for grant of time to file certified copy of the order dated 24/09/2018 & FIR in Crime No. 195/2018 does not survive. It is **disposed** accordingly.

JUDGE