

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

CRIMINAL APPLICATION (BA) NO. 888/2018

Deshraj Roshanlal Thakur @ Mahashay

..VS..

State of Maharashtra, Thru PSO Mangrulpir, PS Mangrulpir, Tq. Mangrulpir, Dist Washim

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

Court's or Judge's orders

Shri S.S. Dhengale, Advocate for the applicant
Shri M.K. Pathan, APP for the non-applicant/State

CORAM : Z.A.HAQ, J.

DATED : 08/10/2018

Heard.

The applicant is arrested on 21/03/2018 in connection with Crime No. 45/2017 registered by the non-applicant against three accused (including the applicant) for the offences punishable under Section 363, Section 366 and Section 34 of the Indian Penal Code. The FIR is registered on the complaint lodged by the father of the victim, the victim being aged about 28 years.

The investigation is complete and charge-sheet is filed. According to the Investigating Agency, the applicant could not be arrested earlier as he was absconding. The application is opposed on the ground that if the applicant is released on bail, he being resident of other State i.e. Himachal Pradesh, it is very likely that the victim may avoid attending the trial.

Accepting the apprehension expressed by the Investigating Agency and considering the fact that earlier also, the applicant could not be arrested, the following order is passed:-

The application is **dismissed**.

However, the learned Sessions Judge is directed to complete the trial within three months if necessary by conducting it on day to day basis.

If the co-accused fail to attend the trial or to co-operate, the learned Sessions Judge shall immediately refer the matter for cancellation of the bail granted to those accused.

JUDGE

Ansari