

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

CRIMINAL APPLICATION (BA) NO. 891/2018

Akhatar Khan S/o Reheman Khan

..VS..

The State of Maharashtra, Thru PSO, PS Patur, Tah. Patur, 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 U.J. Deshpande, Advocate for the applicant
Shri N.B. Jawade, APP for the non-applicant/State

CORAM : Z.A.HAQ, J.

DATED : 10/10/2018

Heard.

The applicant is arrested on 02/04/2018 in connection with Crime No. 123/2018 registered by the non-applicant against three accused (including the applicant) for the offences punishable under Sections 376 (2) (j) (n), 376 (d), 328, 386, 506 and 34 of the Indian Penal Code r/w Section 2 (h) and Section 3 (2) of the Maharashtra Prevention of Eradication, Sacrifice and Other Inhuman, Evil and Aghori Practices and Black Magic Act, 2013. The crime is registered on the complaint lodged by the informant (aged about 24 years). The accusations against the applicant are that he had administered some substance to the informant alongwith lime water and medicine because of the which the informant lost her consciousness and then the crime was committed.

The applicant, aged about 41 years, 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. Though the Investigating Agency proclaims that the applicant was in contact with the informant on his phone, CDR is not filed. The non-applicant has not been able to show that further custody of the applicant is necessary.

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

The applicant having been arrested in connection with Crime No. 123/2018 registered by the non-applicant, he be released on bail on executing P.R. Bond for Rs. 20,000/- and on furnishing two solvent sureties in the like amount.

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

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

JUDGE