

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

Criminal Application [APPA] No.993 of 2017
in
Criminal Appeal No.579 of 2017

Ramprasad s/o Fagulal Amadare

vs.

*The State of Maharashtra, through Senior Police Inspector,
Police Station Gittikhadan, Nagpur*

Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's Orders

*Shri A.Z. Gharde, Advocate for the Applicant/Appellant.
Ms. Ritu Kalia, A.P.P. for the Non-Applicant/State.*

CORAM : S.B. SHUKRE, J.
DATE : 30th JANUARY, 2018.

Heard the learned Counsel for the appellant and the learned A.P.P. for the State.

After going through the impugned judgment and order, copies of the depositions filed by the applicant and the material available on record, I find that no case is made out by the appellant for seeking his release on bail at this stage. The conduct of the prosecutrix lends *prima facie* assurance, what she has stated against the appellant. *Prima facie*, there is also corroboration from the medical evidence. In such circumstances, it would not be proper to release the appellant on bail at this stage.

Of course, the learned Counsel for the appellant would submit that there are several circumstances, which create doubt about the prosecution story. Those circumstances as pointed out to me *prima facie* do not go against the core story of the victim of the crime. Nevertheless, their impact

on the evidentiary value of the testimonies of prosecution witnesses would be considered at the time of final hearing. The application is, therefore, rejected and disposed of.

Criminal Appeal No.579/2017 :

Private paper-book be prepared and filed on record within a period of four weeks from the date of this order and thereafter the appeal be listed for final hearing.

The learned Registrar (Judicial) to take necessary steps in the matter.

JUDGE

**sdw*