

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

CRIMINAL APPLICATION (BA) NO.1249/2017

Suresh Bachchharam Agrawal ..vs.. The State of Maharashtra through PSO
P.S. Jawahar Nagar, Bhandara

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

Court's or Judge's orders.

Mr. S. Wahane, Advocate for applicant.

Mr. N. B. Jawade, A.P.P. for non applicant-State.

CORAM : V.M. DESHPANDE, J.

DATED : JANUARY 9, 2018

1. Heard Mr. S. Wahane, Advocate for applicant and
Mr. N. B. Jawade, A.P.P. for non applicant-State.

2. This is an application for grant of bail. The applicant is arrested in connection with Crime No.184/2017 registered with Police Station, Jawahar Nagar, Dist. Bhandara for an offence punishable under Sections 363, 366, 366(A), 362, 376 (1) (2) (I) (J) (K) (IV) of the Indian Penal Code and Sections 4, 8 and 12 of the Protection of Children from Sexual Offences Act, 2012.

3. The applicant is arrested on 18.11.2017. The investigation is over. The charge-sheet is already filed. The allegation against the present applicant is that the applicant has acted as mediator in the marriage of the victim with one Rakesh Jain and has also obtained money. With the assistance of the learned A.P.P., I have gone the statement of father of Rakesh Jain, Babulal which forms part and parcel

of the charge-sheet. He has stated that the amount was immediately refunded by the present applicant to the father.

The applicant is not having any criminal antecedents.

4. Further, there is no whisper of allegation against the present applicant insofar enticing the victim to leave her place. It is also not there at least prima facie that at various places, the applicant was accompanying the victim.

At this stage, the learned counsel for the applicant makes a statement that the applicant will attend the police station twice a week.

5. In that view of the matter, further custodial presence of the applicant is not necessary. Hence, following order is passed.

ORDER

(i) Criminal Application No.1249/2017 is allowed.

(ii) Applicant-Suresh Bachchharam Agrawal be released on bail in connection with Crime No.184/2017 registered with Police Station, Jawahar Nagar, Dist. Bhandara for an offence punishable under Sections 363, 366, 366(A), 362, 376 (1) (2) (I) (J) (K) (IV) of the Indian Penal Code and Sections 4, 8 and 12 of the Protection of Children from Sexual Offences Act, 2012 on he executing P.R. Bond in the sum of Rs.75,000/- with two solvent sureties in the like amount.

(iii) The applicant shall attend Local Crime Branch, Bhandara twice a week i.e. on every Monday and Friday in between 03.00 p.m. to 05.00 p.m.

(iv) The applicant shall not try to intimidate or influence any of the prosecution witnesses. If it is found that the applicant is not attending the Local Crime Branch, as directed by this Court, it shall be open for the investigating agency to file an application for cancellation of bail.

(v) The observations made in this order are prima facie in nature and they are made only for the limited purpose for considering the application for bail. The learned trial Court shall not get influenced by the observations made in the order.

The application stands disposed of accordingly.

JUDGE