

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

ANTICIPATORY BAIL APPLICATION NO. 1726 OF 2018

Balu Eknath Khomane	...	Applicant
Versus		
The State of Maharashtra	...	Respondent

**WITH
ANTICIPATORY BAIL APPLICATION NO. 1721 OF 2018**

Mohan Dnyandeo Uchale	...	Applicant
Versus		
The State of Maharashtra	...	Respondent

Mr. Ramdas A. Shelke for the Applicant in both A.B.A.
Mr. S.H. Yadav, A.P.P. for the Respondent – State.
Mr. Mahesh R. Mane, Police Naik, Indapur Police Station, present.

CORAM : P.N. DESHMUKH, J.

DATED : 18th MARCH, 2019.

P.C. :

1 Learned A.P.P. on instructions, makes a statement that charge-sheet in this crime is filed before the competent Court. Learned Counsel for the applicant submits that by common order dated 31.08.2018, applicants are protected by ad-interim directions. Perusal of observations of this Court would reveals that there is no medical evidence supporting the report wherein prosecutrix claims to be subjected to sexual intercourse against her wish. It is further observed that in fact prior to involvement of applicant in this crime, applicant Mohan Uchale had lodged report on

17.07.2018 against father of prosecutrix. It is material to note that report on which present applications arise is dated 21.07.2018 in respect of incident alleged to have occurred on 09.07.2018.

2 Learned A.P.P. submits that as per the case diary, there are statements of parents of prosecutrix alone who had knowledge of incident as stated by prosecutrix and has contended that rest of the statements are hear say.

3 Having considered the nature of evidence available against the applicants and since investigation is complete and applicants on being protected by interim directions by attending Investigation Officer. Both the Applications are liable to be allowed as per order below. Interim directions in force of this Court dated 31.08.2018 granting interim protection to applicants involved in Crime No.566 of 2018 registered with Indapur Police Station, District Pune, stands confirmed.

(P.N. DESHMUKH, J.)