

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

CRIMINAL APPLICATION (BA) NO. 67 OF 2019  
(Imran Shamim Khan Pathan .v. State of Maharashtra)

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

Court's or Judge's Orders

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Shri R.J. Mirza, Advocate for the applicant.  
Shri V.P. Gangane, APP for the respondent/State.

CORAM : M.G. GIRATKAR, J.  
04TH FEBRUARY, 2019.

Heard.

Perused the report. From the report, it appears that after the first incident of sexual intercourse, the applicant continued the same. Due to continuous sexual assault, the prosecutrix lodged report against the applicant. Investigation appears to be completed. The applicant is in jail from 28.11.2018. The applicant is the neighbour of victim. Therefore, there is every possibility of tampering the evidence of prosecution witnesses.

Shri Mirza, learned Counsel for the applicant submits that the applicant will reside outside the village Pauni till completion of trial.

Shri Gangane, learned APP has strongly objected the application.

From the perusal of report, it appears that the applicant continued sexual intercourse many a times after the first incident. First incident took place in the month of May, 2018 and the report is lodged on 28.11.2018. Hence, the following order.

The application is allowed. The applicant be released on bail on furnishing PR bond of Rs.25,000/- (rupees

twenty five thousand only) with one solvent surety in the like amount, on the following conditions.

The applicant shall not reside in village Pauni, Tahsil Pauni, District Bhandara till completion of trial.

The applicant shall not tamper the evidence of prosecution witnesses.

The applicant shall attend the trial Court on each and every date.

The applicant shall not leave the jurisdiction of trial Court without prior permission.

Breach of any of the conditions, amounts to cancellation of bail.

JUDGE

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