

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

CRIMINAL APPLICATION (BA) NO.199/2019

Babusing Dipla Rathod

..VS..

The State of Mah., thr. PSO PS Patur, District Akola

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

Court's or Judge's Order

.....
Shri V.R.Deshpande, Counsel for the applicant.
Shri H.D.Dubey, Addl.P.P. for the State.

CORAM : M.G.GIRATKAR, J.

DATED : MARCH 27, 2019.

1. Heard learned counsel Shri V.R.Deshpande for the applicant and learned Additional Public Prosecutor Shri H.D.Dubey for the State.
2. Perused First Information Report and statements of victim and her father.
3. Perusal of report shows date of birth of the victim girl as 1.1.2000.
4. Learned counsel for the applicant pointing out Aadhar Card of the victim girl submitted that date of the birth of the victim in the Aadhar Card is written as 1.1.2000.
5. Learned Additional Public Prosecutor Shri H.D.Dubey for the State submitted that as per School Leaving Certificate of the victim, her date of birth is 12.6.2002.
6. As per the report itself, the father of the victim girl stated date of birth of the victim as 1.1.2000 and the same date of birth is mentioned in the Aadhar Card also as 1.1.2000. The same shows that the victim was more than 18

years of age at the time of incident.

7. From statement of the victim it appears that sexual intercourse took place with consent. Investigation is completed and chargesheet is already filed. Accused is in jail since 9.9.2018.

8. In view of the above, following order is passed:

ORDER

(i) The criminal application is allowed.

(ii) The applicant be released on bail on he executing a P.R.Bond in the sum of Rs.25,000/- with one solvent surety of the like amount.

(iii) The applicant shall not tamper with evidence of prosecution witnesses.

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

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

(vi) With this, the criminal application stands disposed of accordingly.

JUDGE

!! BRW !!

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