

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**  
**NAGPUR BENCH : NAGPUR.**

**Criminal Application (BA) No. 303 of 2019**

*(Nikesh s/o Dnyaneshwar Dayalkar Vs. State of Maharashtra)*

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Office Notes, Office Memoranda of  
Coram, appearances, Court's Orders  
or directions and Registrar's order

Court's or Judge's Order

Shri U. J. Deshpande, Advocate for the applicant  
Shri H. D. Dubey, APP for the State/non-applicant

**CORAM : M. G. GIRATKAR, J.**

**DATE : 24/4/2019**

Heard learned Advocate Shri Deshpande for the applicant. He has submitted that applicant is in jail from 26.02.2019. Nothing is to be recovered from the present applicant. Therefore, he prayed for grant of bail.

2. Shri Dubey, learned Additional Public Prosecutor for the State strongly objected the present application. He has stated that sexual intercourse took place under the promise of marriage and it is offence defined under Section 375 of IPC.

3. Perused the FIR. From the report, it reveals that incident took place in the year 2015. Thereafter, she herself had gone to Chikhaldara alongwith the present applicant and co-accused.

4. Investigation appears to be complete. Looking to the allegations, application is allowed.

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

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

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

**JUDGE**

*SMG*