

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

CRIMINAL APPLICATION (BA) NO.842/2019

Sumer Khan Najer Khan .vs. State of Maharashtra, through PSO P.S. Risod,
Washim

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

Court's or Judge's orders.

Mr. M. N. Ali, Advocate for applicant.

Mr. S. M. Ghodeswar, A.P.P. for non applicant-State.

CORAM : V. M. DESHPANDE, J.

DATED : SEPTEMBER 19, 2019

Heard Mr. Ali, learned counsel for applicant and
Mr. Ghodeswar, learned counsel for non applicant-State. I
have also perused the reply.

In the reply itself, the investigating officer stated
on oath that the investigation is complete and only formality
of filing of the charge-sheet is remained to be done.

The FIR is lodged by victim herself on 15.07.2019
with Police Station, Risod. According to the report, on
14.07.2019, when the victim was all alone in her house,
present applicant came to her house and after getting the
information from the victim that nobody is there in her
house, committed rape on her. The victim was referred for
her medical examination. The investigation papers including
the medical report of the victim are available. The reports do
not show any violence on the person of the victim. The
Doctor has opined that there is no evidence of recent forcible
sexual intercourse. As per the report, age of the victim is 27

years.

The investigation is over and only formality of filing of the charge-sheet is remained to be done. In view of the aforesaid nature of evidence, the applicant, who is in jail, can be released on bail on imposing certain conditions.

ORDER

- (i) The application is allowed.
- (ii) Applicant-Sumer Khan Najer Khan, be released on bail in connection with Crime No.328/2019, registered with Police Station, Washim, for an offence punishable under Section 376, 452 and 506 of the Indian Penal Code, on he executing P.R. Bond in the sum of Rs.15,000/- with one solvent surety in the like amount.
- (iii) Applicant shall attend Police Station, Risod, once in a month, till culmination of the trial.

The application is disposed of.

JUDGE