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

CRIMINAL APPLICATION (BA) NO.888/2019
Suresh s/o Ramesh Talware
..vs..
State of Mah., thr. PSO PS Jalamb, Tahsil Khamgaon, District Buldhana

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

Shri A.P.Tathod, Counsel for the Applicant.
Shri M.J.Khan, Addl.P.P. for the State.

CORAM : V.M.DESHPANDE, J.
DATED : OCTOBER 10, 2019.

1. This is an application for grant of bail.

2. Heard learned counsel Shri A.P.Tathod for the applicant and learned Additional Public Prosecutor Shri M.J.Khan for the State. Also, perused reply filed on behalf of the State.

3. Learned counsel Shri A.P.Tathod for the applicant, fairly submitted that this is a second bail application by the present applicant. He submitted that first bail application of the present applicant vide Criminal Application (BA) No.550/2019 was permitted to be withdrawn on 30.7.2019. On the said day, chargesheet was not available though learned counsel submitted that chargesheet is filed before Court below on 29.7.2019.

4. Applicant is arrested in connection with Crime No.84/2019 registered with Jalamb Police Station, Tahsil Khamgaon, District Buldhana for offences under Sections 376(2)(F) read with Sections 452 and 506 of the Indian Penal Code.

5. Victim herself lodged a report in respect of incident dated 25.5.2019. From report, it is clear that victim is a married woman and present applicant is acquainted with her. According to report, on the date of incident, against her wish, the applicant committed sexual intercourse with her.

6. Investigation is over and chargesheet is already filed.

7. In view of the aforesaid, I see no reason that the applicant should continue his presence in jail custody especially when even as on today charge is not framed. Hence, I pass following order:

ORDER

(a) The criminal application is allowed.

(b) Applicant-Suresh s/o Ramesh Talware, in connection with Crime No.84/2019 registered with Jalamb Police Station, Tahsil Khamgaon, District Buldhana for offences under Sections 376(2)(F) read with Sections 452 and 506 of the Indian Penal Code, be released on bail on his executing a P.R.Bond in the sum of Rs.10,000/- with one solvent surety of the like amount.

(c) The applicant is directed to attend the police station once in a month that is on 3rd Tuesday of every such month between 3:00 p.m. and 5:00 p.m., until Trial is over.

(d) The applicant is directed not to enter village Kalwad, Tahsil Shegaon, District Buldhana where victim resides, until Trial is over.

(e) The applicant is directed to furnish his residential address to learned Judge of the Court below before whom he will be

executing the Bail Bonds.

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

JUDGE

!! BRW !!