

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

CRIMINAL APPLICATION (BA) NO.909 OF 2019

Amit s/o Anil Trupkane .Vs. State of Maharashtra,through P.S.O, P.S.
Ramdaspath, Tal. and Dist. Akola.

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

Court's or Judge's orders.

Mr. A.S. Londhe, Advocate for applicant.

Mr. V.A. Thakare, A.P.P. for non applicant- State.

CORAM : V. M. DESHPANDE, J.

DATED : OCTOBER 18, 2019

Heard Mr. Londhe, learned counsel for applicant
and Mr. Thakare, learned Additional Public Prosecutor for
non applicant-State.

Applicant is arrested on 09.07.2018 in connection
with Crime No.199/2019 registered with Police Station,
Ramdaspath, Tal. and Dist. Akola for an offence punishable
under Sections 376 (2)(n), 417, 294, 109 of the Indian
Penal Code.

The investigation is over and charge-sheet is
already filed. First information report dated 17.05.2019 was
lodged by the victim herself. As per report, her marriage
took place in the year 2006 with Vishnu and from the
wedlock she delivered a daughter and a son. However, there
was marital dispute in between her and her husband. In
that, she was assaulted and was thrown out of her
matrimonial house. Therefore, she was residing at
Sidharthnagar, Akola. She has further stated in her written

report that the present applicant was knowing the dispute between her and her husband, he allured her and thereafter he committed sexual intercourse with her.

Looking to the nature of accusations made in the first information report and especially when investigation is over, in my view, custodial presence of the present applicant is not at all necessary. Resultantly, I pass following order :

ORDER

- (i) The application is allowed.
- (ii) Applicant- Amit s/o Anil Trupkane, be released on bail in connection with Crime No.199/2019 registered with Police Station, Ramdaspath, Tal. and Dist. Akola for an offence punishable under Section 376 (2)(n), 417, 294, 109 of the Indian Penal Code, on he executing P.R. Bond in the sum of Rs.25,000/- with one solvent surety in the like amount.
- (iii) The applicant is directed to attend Police Station, Ramdaspath, Akola twice a month i.e. on third Monday and fourth Tuesday of every month until culmination of trial.
- (iv) The applicant shall not cause any prejudice to any prosecution witness.

JUDGE