

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

CRIMINAL APPLICATION (BA) NO.1052 OF 2018

(Nikhil s/o Raju Giri Vs. State of Maharashtra thr. PSO PS Ghatanji, Dist. Yavatmal)

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

Court's or Judge's orders.

Shri P.W. Mirza, Advocate for Applicant.
Ms. T.H. Udeshi, APP for Non-Applicant/State.

CORAM: M.G. GIRATKAR, J.
DATE: 15th JANUARY, 2019.

Heard Advocate Shri Mirza for the applicant. As per his submission, applicant is arrested and is in jail since last nine month. There is no progress in the trial. Learned counsel has submitted that the victim/complainant was in love with him. Investigation is complete and charge-sheet is filed. No further detention is necessary.

Learned APP Ms. Udeshi has strongly objected on the ground that the earlier application for bail was withdrawn.

Perused the report lodged by victim. As per the report, she was in love with the accused/applicant. He is nearest relative of the victim. Complainant herself has stated in her statement that on 02.05.2018 she was 18 years. She has stated in the report that when she was 17 years, accused started sexual intercourse with her. Complainant was major when the report was lodged knowing well she herself started sexual relation with the

accused/applicant. Now, the investigation is complete and charge-sheet is filed. Hence, the following order.

The applicant be released on executing P.R. bond of Rs.25,000/- with a solvent surety of like amount on the following conditions:

- [i] The applicant shall not tamper with the prosecution witnesses.
- [ii] He shall not leave the jurisdiction of the trial Court without prior permission.
- [iii] He shall attend on each and every date before the trial Court.
- [iv] Breach of any above conditions will amount to cancellation of bail.

JUDGE