

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

CRI. APPLICATION LD-VC-(ABA) NO. 43 OF 2020

(MAHADEO MURLIDHAR AWACHAR ...VS.. STATE OF MAH. THR. PSO PS SHEGAON, DIST :
BULDANA)

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

Court's or Judge's orders

Shri N.P.Ashok, Advocate for Applicant.
Shri A.M.Deshpande, A.P.P. for Non-applicant/State.

CORAM : Z.A.HAQ, J.
DATED : MAY 15, 2020.

Heard.

By this application under Section 438 of the Code of Criminal Procedure, the applicant/ accused, aged about 24 years, seeks pre-arrest bail apprehending arrest in connection with Crime No.140 of 2020 registered against him for the offences punishable under Sections 376, 376 (2)(n) and 506 of the Indian Penal Code and under Sections 4 and 6 of the Protection of Children from Sexual Offences Act, 2012. The applicant/ accused claims that the allegations against him about commission of the offences are false. According to the prosecutrix/F.I.R., the alleged crime was committed on 31st January 2020 i.e. more than two months prior to the date of registration of the First Information Report, which is registered on 7th March 2020. Age of the prosecutrix was about 17 years and 8 months on the date of the alleged crime.

The applicant has stated that there are no criminal antecedents. Though the learned A.P.P. states that he is yet to receive instructions, the submission made on behalf of the applicant on this aspect is relied and the

applicant would be liable for consequences if the statement is found to be incorrect.

Considering the facts of the case, I am of the view that the applicant is entitled for protection.

Hence, the following order :

In the event of arrest in connection with Crime No. 140 of 2020 registered with the Non-applicant Police Station, the applicant be released on bail on executing P.R. Bond for Rupees Twenty Thousand and depositing Rupees Ten Thousand towards cash security.

The applicant shall attend the `concerned Police Station on every Wednesday between 10:00 a.m. and 01:00 p.m., till filing of the chargesheet.

The applicant need not attend the Police Station if the Investigating Agency informs him in writing that he is not required to attend the Police Station.

The Criminal Application is allowed in the above terms.

JUDGE