

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

LD-VC BA NO. 1301/2020

Akash P. Utane
..VS..
State of Maharashtra

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

Court's or Judge's orders

Shri A.P. Thakare, Advocate for the applicant
Ms. S.V. Kolhe, APP for the non-applicant

CORAM : Z.A.HAQ, J.
DATED : 27/08/2020

1] Heard learned advocate for the applicant and
learned APP for the non-applicant.

2] The applicant is arrested on 24/12/2019 in
connection with Crime No. 651/2019 for the offences
punishable under Sections 363, 376 (2) (n), 376 (3) and 506
of the Indian Penal Code read with Sections 4, 5 (1) and 6 of
the Protection of Children From Sexual Offences Act.

3] With the assistance of learned advocate for the
applicant and learned APP, I have examined the relevant
documents placed on record.

4] The claim of the Investigating Agency is that the
victim is minor and was aged about 15 years at the time of
alleged incident. The applicant is aged about 25 years. The
investigation is complete and charge-sheet is filed.

5] Accepting the submission made on behalf of the applicant that the applicant is not involved in any other offence, any other crime is not registered against him and in view of the pandemic situation and as the Investigating Agency has not been able to point out that further custody of the applicant is required for investigation, in my view, the applicant should be released on bail.

Hence, the following order:-

(a) The applicant, having been arrested in connection with Crime No. 651/2019 registered with the non-applicant – Police Station, he be released on bail on executing P.R. Bond for Rs. Twenty Thousand and on furnishing one solvent surety in the like amount.

(b) The applicant shall attend the Sessions trial on every date unless granted exemption by the Sessions Court.

(c) If the applicant fails to attend the Sessions trial on any date without there being exemption granted by the Sessions Court, the Sessions Court may recommend the matter for cancellation of bail of the applicant.

The application is **disposed** in the above terms.

JUDGE