

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

CRIMINAL APPLICATION (BA) 845 OF 2021

(Sandesh Sevakram Sirsat..vs..State, thr PSO, PS Dahihanda, Tq. 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. S.D. Chopde, counsel for applicant.
Mrs. K.R. Deshpande, APP for non-applicant /State.
Mr. Mandhre, counsel for victim.

CORAM: ROHIT B. DEO, J.

DATE: 08.09.2021.

Heard.

2. The applicant is in custody since 21.4.2021 in connection with Crime 232/2021, registered with Police Station, Dahihanda, Tq. Dist. Akola, for offences punishable under sections 376, 376(2)(n), 376(3) of Indian Penal Code and sections 3,4,5,6,8,12 of Protection of Children From Sexual Offences Act, 2012.

3. It appears from the material in the chargesheet, that the offence is registered since the victim was and is a minor. The statement of the victim is that everything happened with her consent.

4. The victim is present in the Court alongwith her mother and I have pinpointedly asked both the victim and her mother whether the bail application is being opposed by them and the candid answer is that the bail is not opposed and the applicant Sandesh may be granted bail.

5. If the present stand of the victim is replicated in the trial, the fate of the trial becomes extremely contentious. Be that as it may, considering the material on record, the applicant is released on bail, subject to the following conditions:

(i) The applicant be released on bail in connection with Crime 232/2021, registered with Police Station, Dahihanda, Tq. Dist. Akola, for offences punishable under sections 376, 376(2)(n), 376(3) of Indian Penal Code and section 3,4,5,6,8,12 of Protection of Children From Sexual Offences Act, 2012, on executing PR bond of Rs. 16,000/- (Rupees Sixteen Thousand) with one solvent surety of the like amount;

(ii) The applicant shall not, directly or indirectly,

make any attempt to influence the witnesses or otherwise tamper with the evidence;

(iii) The applicant shall not leave the country without the permission of the trial Court.

Judge

Belkhede