

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

CRIMINAL APPLICATION (BA) 1299 OF 2021

(Amol Shyamlal Thakre..vs..State, thr PSO PS Pardi, Dist. Nagpur)

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

Court's or Judge's orders.

Mr. S.V. Sirpurkar, counsel for applicant.
Mr. N.R.Rode, APP for non-applicant /State.

CORAM: ROHIT B. DEO, J.
DATE:21.12.2021.

Heard.

2. The applicant is seeking bail in connection with Crime 337/2021, registered with Police Station Pardi, District Nagpur, for offences punishable under sections 376(2)(n), 294, 506, 313 of Indian Penal Code.

3. The prosecutrix lodged report dated 9.6.2021, at Police Station Pardi, Nagpur, the gist of which is as follows:

The applicant, who is a married man with children is a neighbour and is acquainted with the prosecutrix. In December, 2020, the applicant's wife had gone out station, the applicant called the

prosecutrix to his house and established forcible sexual relationship. The prosecutrix did not protest due to fear. The applicant repeated the sexual misconduct on several occasions. The prosecutrix was at Chhapra, (Bihar) from 12.4.2021 till 28.5.2021 since a relative was getting married. After returning from Chhapra, she realized that she was pregnant and disclosed the pregnancy to the applicant, who gave certain pills to her. The prosecutrix consumed the pills. She then suffered bleedings and pain and disclosed the entire incident to her mother. The mother of the prosecutrix confronted the applicant, who issued threats etc. Due to the threats issued by the applicant, her mother did not immediately disclose the incident to the father of the prosecutrix. The delay in lodging the report is explained thus.

4. The investigation is complete and the chargesheet is filed.

5. The applicant has no criminal antecedents and is not a flight risk.

6. Considering the nature of the accusations, the submission of the learned counsel for the applicant Mr. S.V. Sirpurkar that the relationship, if any, appears to be consensual, will need serious consideration in the trial, obviously on the basis of the evidence which may come on record.

7. I am satisfied that a case is made out for grant of bail.

8. This application is allowed subject to the following conditions:

(i) The applicant be released on bail in connection with 337/2021, registered with Police Station Pardi, District Nagpur, for offences punishable under sections 376(2)(n), 294, 506, 313 of Indian Penal Code, on executing PR bond of Rs. 16,000/- (Rupees Sixteen Thousand) with one solvent surety of the like amount;

(v) The applicant shall not, directly or indirectly, make any attempt to influence the

witnesses or otherwise tamper with the evidence;

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

Judge

Belkhede