

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

BAIL APPLICATION NO. 1018 OF 2022

Santosh Hanumant Jadhawar

..APPLICANT

VERSUS

State of Maharashtra

..RESPONDENT

....
Mr. S.J. Salunke, Advocate for applicant

Mr. A.V. Deshmukh, A.P.P. for respondent – State

Mr. V.H. Pathade, Advocate h/f Mr. V.S. Undre, Advocate for informant

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CORAM : R.G. AVACHAT, J.

DATE : 28th JULY, 2022

PER COURT :

1. This is an application for bail under Section 439 of Code of Criminal Procedure. The applicant has been arrested in connection with Crime No. 81 of 2022 registered with Yermala Police Station, Dist. Osmanabad for the offences punishable under Sections 376(2)(n), 323 and 506 of the Indian Penal Code.

2. Heard. Perused the First Information Report ("F.I.R.") and related police papers.

3. Learned A.P.P. and learned counsel representing the victim would submit that it is a serious offence. The delay caused in lodging the F.I.R. has been explained. Both of them, therefore, urged for rejection of the application.

4. The victim is major. The incidents of rape have been occurred on 07th and 15th March, 2022, whereas the F.I.R. has been lodged on 18th April, 2022 i.e. thirty two days after the last such incident. Investigation is over. Charge-sheet has been filed. It will take time for commencement of trial and conclusion thereof.

5. In view of above, the application deserves to be allowed. Hence I pass the following order :-

ORDER

(I) The bail application is allowed.

(II) The applicant be released, in connection with Crime No. 81 of 2022 registered with Yermala Police Station, Dist. Osmanabad for the offences punishable under Sections 376(2) (n), 323 and 506 of the Indian Penal Code, on executing P.R. Bond in the sum of Rs.15,000/- (Rupees Fifteen Thousand) with one surety in the like amount.

(III) The applicant shall not tamper with the prosecution evidence.

(R.G. AVACHAT, J.)

SSD