

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

Criminal Application (BA) No. 566 of 2022

Akash S/o Ashok Laghe

Versus

State of Maharashtra, through Police Station Officer, Police Station
Khamgaon Rural, Tq. Khamgaon, Dist. Buldhana

Office Notes, Office Memoranda of
Coram, appearances, Court's Orders
or directions and Registrar's order

Court's or Judge's Order

Shri S.M.Awchar, Advocate for the applicant.

Ms. Shamshi Haider, APP for the State/non-applicant.

CORAM : ANIL S. KILOR, J.

DATED : 14th JUNE, 2022.

The applicant is seeking bail under Section 439 of the Code of Criminal Procedure in Crime No. 0178 of 2022 dated 15th May, 2022 registered with Police Station Khamgaon (Rural), Dist. Buldhana for the offence punishable under Sections 354-A, 354-D, 354, 452 and 323 of Indian Penal Code, 1860.

2. Learned counsel for the applicant submits that the applicant has been falsely implicated in the alleged offence and the First Information Report came to be lodged under pressure. It is submitted that the

applicant is in jail since 17th May, 2022 and there is no further custody required of the applicant.

3. Learned Additional Public Prosecutor strongly opposed the application and prays for rejection of the application.

4. I have perused the case diary and the First Information Report.

5. Applicant is 23 years old young boy. From the photographs filed alongwith the application, *prima facie* it appears that there was a love affair between the applicant and the complainant. The applicant is in jail since 17th May, 2022 and looking to the allegations made in the First Information Report, I am of the opinion that no further custody of the applicant is required.

6. Moreover, there is nothing to show that the applicant would pressurize the prosecution witness or he will tamper with the prosecution evidence or he will not be available for trial, if the bail is granted. Accordingly, I pass the following order.

- i. Criminal application is allowed;
- ii. It is directed that the applicant shall be released on bail in Crime No. 178 of 2022 dated 15th May, 2022 for the offence punishable under Sections 354-A, 354-

D, 354, 452 and 323 of the Indian Penal Code, 1860 registered by the non-applicant Police Station Khamgaon (Rural), Dist. Buldhana, on furnishing P.R.Bond of Rs.25,000/- with a solvent surety in the like amount.

ii. The applicant shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case, as also not tamper with the evidence;

iii. The applicant shall not leave the jurisdiction of the concerned police station without permission of the Court.

[ANIL S. KILOR, J.]

Digitally signed
by
SACHINDANAND
K NAIR
Date: 2022.06.14
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