

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

CRIMINAL APPLICATION (BA) NO. 715 OF 2022

Deepak s/o Ishwar Sayyam **Versus** State of Maharashtra, thr. PSO., P.S. Hingana, Nagpur and another.

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

Court's or Judge's Order

Mrs Sunita Kulkarni, counsel for the applicant.

Ms M.A. Barbde, A.P.P. for the non-applicant No.1/State.

Ms R.N. Gaikwad, counsel for non-applicant no.2/Complainant

CORAM : ANIL S. KILOR, J.
DATED : 18/07/2022.

1. Heard.
2. The applicant is seeking bail in connection with Crime No. 547/2021, registered with PSO., P.S. Hingana, District Nagpur, for the offences punishable under Sections 376, 354, 506(2) of the Indian Penal Code, 1860.
2. Mrs Sunita Kulkarni, learned counsel for the applicant submits that out of family dispute, the applicant has been falsely implicated in the alleged offence.
3. It is submitted that the applicant is in jail, since October-2021 and considering the nature of allegations made in the FIR and further the fact that after completion of the investigation, the charge sheet is filed, the custody of the applicant is no more required. Accordingly, she prays for grant of bail.

4. On the other hand, Ms M.A.Barbde, learned APP strongly opposed the present application.

5. Ms R.N. Gaikwad, learned counsel appearing for the non-applicant No.2/victim has no objection, if the present applicant is allowed.

6. I have perused the Charge-sheet and the FIR.

7. Considering the fact that, after completion of investigation, the charge sheet has been filed, I am of the opinion that in view of the nature of allegations made in the FIR, further custody of the applicant is not necessary.

8. Moreover, the applicant and the victim are the close relatives and the victim has no objection for grant of bail to the applicant. In that view of the matter, I pass the following order:

- i) The criminal application is **allowed**.
- ii) It is directed that the applicant shall be released on bail in connection with Crime No. 547/2021, registered with Police Station, Hingna, District Nagpur, for the offences punishable under Sections 376, 354, 506(2) of the Indian Penal Code, 1860, the applicant shall be released on on furnishing P.R. Bond in the sum of Rupees Twenty Five Thousand with one solvent surety in the like amount.

- iii) The applicant shall not pressurize the prosecution witnesses or tamper with the prosecution evidence.
- iv) The applicant shall attend the concerned Police Station on 1st and 16th day of each month and thereafter as and when his presence is required.

The criminal application is **disposed of** accordingly.

[ANIL S. KILOR, J.]