

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

CRIMINAL APPLICATION (BA) NO. 967 OF 2022

Talapulla Anjenillu alias Anjani Gangayya **Versus** State of Maharashtra, through
PSO Buldhana City P.S. Buldhana Tq. and 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 A.D. Raut, Advocate for the applicant.

Shri Ashirgade A.P.P. for the non-applicant /State.

CORAM : ANIL S. KILOR, J.

DATED : 22/09/2022

Heard.

2. The applicant is seeking bail in connection with Crime No. 1026 of 2018 registered with Police Station Buldhana City, Tq. and District Buldhana, for the offences punishable under Sections 366, 376, 370, 344, 506 read with Section 34 of the Indian Penal Code, 1860.

3. While rejecting first application of the applicant vide order dated 26/05/2020, this Court had expedited the trial and directed the learned Trial Court to complete the trial preferably within a period of six months and further liberty was granted to applicant to apply a fresh, if the trial is not completed within a period of six months.

4. Even after lapse of more than two years after the order dated 26/05/2020 and though there was direction

to expedite the trial and conclude within six months, till date the trial is not commenced, for the reasons that interpreter is required, as the applicant does not know Marathi or English language, but knows only Telgu language.

5. The applicant is in jail from more than three years and considering the allegations on the face of it, *prima-facie*, it can be seen that, there was consensual physical relations between the applicant and the victim.

6. Thus, in the above-referred back-drop and considering the period of incarceration and that further custody of the applicant is not necessary coupled with the fact that there are no criminal antecedents to discredit of the applicant, I am of the opinion that, the applicant is entitled for grant of bail. Accordingly, I pass the following order:

- a) The criminal application is **allowed**.
- b) It is directed that in connection with Crime No. 1026 of 2018 registered with Police Station Buldhana City, Tq. and District Buldhana, for the offences punishable under Sections 366, 376, 370, 344, 506 read with Section 34 of the Indian Penal Code, 1860, the applicant shall be released on bail on furnishing P.R. Bond of Rs.20,000/- with two local solvent sureties in the like amount.
- c) The applicant shall attend the concerned Police Station on 1st and 16th day of each month

between 02.00 p.m. to 03.00 p.m., till the culmination of the trial, except for trial.

- d) Liberty is granted to the State to apply for cancellation of bail, in case of breach of any condition or the commission of similar offence.
- e) The applicant shall not tamper with the prosecution witnesses.

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

[ANIL S. KILOR, J.]