

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

CRIMINAL APPEAL NO. 794 OF 2022

APPELLANT: Malang Shaha Chand Shaha,
Aged about 44 years, Occupation: Labour,
R/o Shaha Mohalla, At post Pimpalgaon
Kale, Tq. Jalgaon Jamod, Dist.Buldhana.

..V E R S U S..

RESPONDENTS 1] State of Maharashtra,
through Police Station Officer,
Police Station Jalgaon Jamod,
District Buldhana.

2] Vandana Arvind Raymale,
R/o Tamaswadi, Tahsil Raver Jalgaon
Khandesh District Jalgaon (Khandesh).

Shri R.D. Karode, Advocate a/w Shri Vinod Mudokar, Advocate for
the appellant.

Shri N.R.Rode, A.P.P. for the respondent No.1/State.

CORAM : ANIL S. KILOR, J.
DATE : 06th December,2022

ORAL JUDGMENT :

1. Heard Shri R.D.Karode, learned Advocate with Shri
Vinod Mudokar, Advocate for the appellant and Shri N.R.Rode,
learned APP for the respondent No.1/State.

2. **ADMIT**

3. In this case, the allegations are that the appellant was

caught hold the hands of the informant and embarrassed her, and thereafter did indecent behavior to the informant.

4. The appellant is in jail for five months, and in the meantime after investigation, the charge-sheet has been filed. Though the alleged incident took place on a public road and as per the informant she shouted when the incident took place, there is no direct eye witness to the incident.

5. Even otherwise, as the charge-sheet has been filed, further custody of the applicant is not necessary. Thus, considering the period of incarceration of the appellant and the fact that further custody of the appellant is not necessary, I am of the opinion that, the appellant is entitled for grant of bail. Accordingly, I pass the following order:

- a) The criminal appeal is **allowed**.
- b) The order dated 11/10/2022 passed by the learned Additional Sessions Judge, Khamgaon District Buldhana in Sessions Trial No. 76/2022 is hereby quashed and set aside.
- c) The appellant shall be released on bail on his

furnishing P.R. Bond in the sum of Rs. 25,000/- with one solvent surety in the like amount.

- d) The appellant shall attend the concerned Police Station on 1st day of each month between 10.00 a.m. to 11.00 a.m. till culmination of trial.

[ANIL S. KILOR, J.]

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