

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

Criminal Application (BA) No. 1330 of 2022

Lokesh S/o Durgesh Waghade

Versus

State of Maharashtra, through Police Station Officer, Police Station Katol,
Dist. 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

Ms. S.Kulkarni, Advocate for the applicant.

Shri N.R.Rode, APP for the State / Non-applicant

Shri Santosh Chande, Advocate for the non-applicant
no.2.

CORAM : ANIL S. KILOR, J.

DATED : 6th DECEMBER, 2022.

The applicant is seeking bail under Section 439 of the Code of Criminal Procedure in Crime No. 747 of 2022 registered with Police Station Katol, Dist. Nagpur for the offence punishable under Sections 376(1), 376(2)(n), 323 and 506 of Indian Penal Code.

2. Even if the allegations made in the First Information Report are taken on its face value it can be seen that there was a consensual relationship between the applicant and the victim.

3. Today, the victim is personally present before the court and she made a statement through her counsel that she has no objection if the present application is allowed.

4. In that view of the matter, I am of the opinion that considering the period of incarceration of the applicant, he should be released on bail. 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. 747 of 2022 registered with Police Station Katol, Dist. Nagpur for the offence punishable under Sections 376(1), 376(2)(n), 323 and 506 of Indian Penal Code, on furnishing P.R.Bond of Rs.25,000/- with one solvent surety in the like amount;
- iii. The applicant shall attend the concerned Police Station as and when his presence is required;
- iv. The applicant shall not tamper with the prosecution witnesses;
- v. 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: 2022.12.06
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