



IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
BENCH AT AURANGABAD.

**1005 APPLICATION FOR CANCELLATION OF BAIL NO. 1 OF
2024**

THE STATE OF MAHARASHTRA
VERSUS
GANESH NALANDA GHUGE

APP for Applicant : Mr.M.K. Goyanka

Advocate for Respondent : Mr.Andhale Sandip Ramnath

CORAM : **SHIVKUMAR DIGE, J.**

DATE : 6th September, 2024.

P.C.:

1. By this application, the prosecution is seeking cancellation of bail granted to the respondent in Crime No.400 of 2023 registered with Tuljapur Police Station, Tq.Tuljapur, Dist. Osmanabad, for the offences punishable under sections 376, 377, 506 of the Indian Penal Code (For short, "IPC").
2. It is alleged that the applicant has sexually assaulted the informant by giving threats.
3. It is contention of the learned APP that the learned Sessions Court has released the respondent on anticipatory bail without giving custody of the respondent. The allegations against the respondent are serious in nature. He sexually assaulted the informant. He has recorded physical relationship with the informant in his mobile and he has threatened the informant that he will viral it. The custody of the respondent is required to recover the mobile of the applicant and video

clips. But this fact is not considered by the learned Sessions Court and requested to allow the application and cancel the bail granted to respondent.

4. It is the contention of the learned counsel for the respondent that the investigation is completed. Charge-sheet has been filed against the respondent. Matter is committed to the Sessions Court. Respondent has cooperated to the Investigating Officer in investigation. Considering these facts, custodial interrogation of the respondent is not required and requested to reject the application.

5. I have heard both the learned counsel. Perused the F.I.R. and impugned order passed by the Sessions Court.

6. Investigation is completed. Police has filed charge-sheet against the respondent. The matter is committed to the Sessions Court. Considering these facts, the custodial interrogation of the respondent is not required and I pass the following order :-

ORDER

(i) The application is rejected.

[SHIVKUMAR DIGE, J.]