

**Session Case No.34/2022**

CNR No. MHBI04-000191-2022

**State of Maharashtra**

**Vs.**

**Krushna Piraji Maske**

**ORDER BELOW EXH.05.**

01. This is an application by accused Krushna Piraji Maske for getting regular bail after filing of the charge-sheet under section 439 of the Code of Criminal Procedure, 1973. His previous bail application before filing of the charge-sheet was rejected.

02. Court perused the bail application and charge-sheet. Perused the reply. Notice was issued to the informant, but she could not be found out as per the report dated 28.07.2022 by the PSI Ambajogai Rural police station. Heard the learned advocate Shri. V.S. Lokhande for the applicant / accused and learned A.P.P. Shri. A. V. Kulkarni for the State.

03. Perusal of the charge-sheet shows that, as per the informant she is married and 24 years old. She is suffering from disease of backbone. The applicant / accused impressed on her mind that, he would cure her disease. He then made her husband to consume liquor and established physical relations with her on saying that, thereby her disease would be

cured. Then he had taken her to Karnataka. They stayed over there where he had frequent physical relations with her. On her call at home, police apprehended accused and registered the crime. Applicant / accused was arrested, investigated for the offences punishable under section 363, 365, 376(2)(n) and 506 of Indian Penal Code, 1860. Now the charge-sheet is filed.

04. Firstly, court observes that, the informant was major, married, had two children on the relevant date and was of proper understanding. Secondly, the applicant was arrested, sufficiently investigated and he is in jail since last more than nine months. Thirdly, case is committed to this court in present year and would take longer time to be adjudicated with. The applicant / accused is not proper to be kept in jail for such a longer period. Rather, he is resident of Ghatnandur, Tq. Ambajogai and can be available for trial. There are no criminal antecedents against him. Though, there is possibility of his threatening informant and witnesses, however, as per the police report the informant has left her house and is not being found out. Therefore, that possibility reduces. Even otherwise, that can be taken care of by suitable terms and conditions. Hence, order.

### **ORDER**

- A. Bail Application Exh.5 in Sessions Case No.34/2022 is allowed.
- B. The applicant / accused Krushna Piraji Maske be released in crime No.308 of 2021 registered with

Ambajogai Rural police station for the offences punishable under section 363, 365, 376(2)(n), 506 of Indian Penal Code, 1860 on following conditions;

(a) The applicant / accused shall execute PR bond of Rs.15,000/- (Rs. Fifteen Thousand only) with surety of like amount.

(b) He shall submit his identity and address proof along-with his mobile number.

(c) He shall not tamper the prosecution witnesses.

(d) He shall attend trial court regularly.

(Deepak D.Khoche)  
Date : 05.08.2022 Addl Sessions Judge, Ambajogai

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CERTIFICATE

"I affirm that all the contents of this PDF file are word to word as per original judgment/order".

Dictated on : 05.08.2022  
Transcribed on : 05.08.2022  
Checked & Signed on: 05.08.2022

Date : 05.08.2022

A.S.PANHALE  
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