

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

CRIMINAL APPLICATION NO.1938 OF 2006

Mr. Mahendra B.Singh. ..Applicant.

Vs.

The State of Maharashtra. ..Respondent.

Mr. Miling Thange, Adv. for the Applicant.
Mr.P.S.Hingorani,APP. for the State.

**CORAM : R.S. MOHITE,J.
DATED : 30/6/2006.**

P.C.

1. This is an application for grant of bail. The applicant Mahendra @ Kanchan Nepali is shown as an accused No.2 in C.R.No.I-190/2005 registered by Kolsewadi Police Station for alleged offences under Section 376,448 and 506 read with 34 of the I.P.C. The prosecutrix is one Sita who was a married girl aged 25 years. The material indicates that according to her she was raped by co accused Satish Gaikwad and the Satish Gaikwad completed the act of rape which ended with the ejaculation of semen. Sita was medically examined however, no semen has been found in the swab. Similarly there is no injury on the private part of Sita. Satish Gaikwad is still in custody. As far as present applicant is concerned, he has held her mouth. The investigation is over and the charge-sheet is filed.

Taking an over all of the matter including the medical report and C.A. report, I am inclined to grant bail to the applicant. It is therefore, directed that pending his trial, the applicant may be released on bail in the sum of Rs.20,000/- with one surety in the like amount subject to the condition that he should report to the Investigating Officer twice in a month on every first and third Mondays till the conclusion of the trial.

. Application is disposed of.

(R. S. MOHITE, J.)