

M.Cr.C. No.5519/2012

31.8.2012.

Shri Sanjay Sharma, Advocate for the applicant.

Shri R.S. Bais, Dy. Govt. Advocate for respondent – State.

Heard.

This is IInd application for grant of bail by the applicant who has been implicated in crime no.212/2011, registered at Badgonda, for the offence punishable under Section 376 (F) and under Section 3 (ii) (v) of S.C. & S.T.(Prevention of Atrocities) Act, 1989.

The allegation against the present applicant that he committed rape upon minor child aged 6 years. During pendency of this application, he filed copy of the statement of the prosecutrix (Exhibit P/2). He also filed an application for grant of interim bail on the ground that death of mother of the applicant. It is submitted that 'Chilsa' of the mother of the applicant is going to be performed on 8th September 2012. This fact is supported by the affidavit of the Imran Khan.

Considering this fact, prayer for grant of temporary bail on the ground of death of mother of the applicant, without expressing any opinion on the merits of the case, I allow this interim bail application and it is directed that the applicant be released on bail for a period of **ten days only** on his furnishing a personal bond to the tune of **Rs.40,000/-** with **two local sureties** of like amount to the satisfaction of the concerned J.M.F.C./C.J.M. with an undertaking that immediately after ten days, he will surrender before the concerned trial

Court.

Learned counsel for the applicant also prays for withdrawal of main application with liberty to repeat the same after recording the statement of doctor. His prayer is allowed.

With the aforesaid, M.Cr.C.No.5519/2012 is disposed of.

C.c. as per rules.

(P.K. JAISWAL)
JUDGE

ss/-