

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY.
BENCH AT AURANGABAD.
Criminal Appellate Jurisdiction.**

CRIMINAL APPLICATION NO. 2342 OF 2015.

BHIM S/O DIGAMBAR GADE.
VERSUS
THE STATE OF MAHARASHTRA

Appearance =>

Mr. Rathi Swapnil, Advocate for the Applicant.

Mr. A.V. Deshmukh, Addl.Public Prosecutor for the State of Maha.

CORAM : V.M. Deshpande, J.

DATE : 7th May, 2015.

Per Court :-

Present Criminal Application is filed by the Applicant for grant of anticipatory bail, since he is apprehending his arrest in connection with CR No.22/2015 registered with Police Station, Umri, Taluka – Umri, District - Nanded for the offences punishable under Section.s. 376, 448, 323, 506 of the Indian Penal Code.

[2] Heard, Mr. Swapnil Rathi, learned counsel for the Applicant and Mr. A.V. Deshmukh, learned Additional Public Prosecutor for the State.

[3] Prosecutrix is major. She has lodged report on 3rd April, 2015 against the Applicant. From the First Information Report, it is clear that there was love affair between the Applicant and the prosecutrix. It is alleged in the First Information Report that by taking disadvantage of love affair, on the pretext of marriage, the Applicant has established sexual relations with the prosecutrix.

[4] Looking to the fact that the prosecutrix is major and she knows worldly affairs further, in view of the fact that, love between the Applicant and the prosecutrix was present for considerable long time, custodial presence of the Applicant in the present crime, is not warranted. Hence, I pass the following order :-

ORDER

(i) Criminal Application is allowed.

(ii) In the event of arrest, Applicant - BHIM S/O DIGAMBAR GADE shall be released on anticipatory bail on he executing P.R. Bond of Rs. 5,000/- [Rs. Five Thousand.] with one solvent surety in the like amount, in connection with CR No.22/2015 registered with Police Station, Umri, Taluka – Umri, District - Nanded for the offences punishable under Section.s. 376, 448, 323, 506 of the Indian Penal Code.

(iii) The Applicant shall attend the Police Station, Umri, Taluka – Umri, District – Nanded once in a week, preferably on every Sunday, between 3.00 p.m. to 4.00 p.m, till charge sheet is filed.

(iv) With this Criminal Application is allowed and same is disposed of accordingly.

(V.M. DESHPANDE, J.)