

IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CRIMINAL APPELLATE SIDE JURISDICTION  
CRIMINAL ANTICIPATORY BAIL APPLICATION NO. 1324 OF 2014

Shivaji Rama Kale

.....Applicant

V/s.

The State of Maharashtra

....Respondent

Mr. Kuldeep S. Patil for Applicant  
Ms. Vira Shinde APP for the State.

**CORAM : SMT. SADHANA S. JADHAV, J.**  
**DATED : JANUARY 13, 2015**

**PC :**

1) Heard. This is an application under section 438 of Code of Criminal Procedure, 1973. Applicant herein is apprehending his arrest in M.E.C.R. No. 8 of 2014 registered at Vishrambag Police Station, Sangli for offence punishable under section 376, 386, 504, 506 r/w 34 of Indian Penal Code.

2) It is the case of prosecution that on 24/04/2014, one Chameli Pawar, who belongs to Pardhi community, had lodged a report, alleging therein that she had been ravished by present applicant and the (co-accused) Police Inspector had ravished her against her wish. It was alleged that applicant had demanded an amount of Rs. 5,50,000/- for releasing her husband from

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custody. It is a matter of record that her husband had been arrested by the police in case of extortion.

3) Upon perusal of the records and the order passed by this Court in the case of Narendra Kulkarni (co-accused) bearing Anticipatory Bail Application No. 642 of 2014, it is apparent that complainant has filed an affidavit before Taluka Executive Magistrate and has contended in the said affidavit that she was an informer of the Local Crime Branch. That she had come in contact with the present applicant. They had developed intimate relationships and they had consensual sex. It is stated in the said affidavit that one Arun Waghmare had trapped them together. He had threatened present applicant that he would file a complaint in respect of illicit relations between applicant and complainant. He was intimidating applicant to withdraw the cases against husband of the complainant and Phusky Paware. The said affidavit is filed in the departmental proceeding.

4) It appears from the records that according to the complainant, Arun Waghmare was instrumental in initiating prosecution against present applicant

as well as Narendra Kulkarni. Taking into consideration the papers of investigation and the submissions advanced across the bar, this Court is of the opinion that applicant has made out prima facie case for grant of pre-arrest bail.

**ORDER**

- (i) Application is allowed.
- (ii) In the event of arrest, applicant be enlarged on bail on furnishing P. R. bond in the sum of Rs. 15,000/- and one or two sureties in the like amount.

Application stands disposed of.

**(SMT. SADHANA S. JADHAV, J.)**