

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO.670 OF 2015

Vikas Gangaram Ramane ... Applicant

Vs.

The State of Maharashtra ... Respondent

Mr.Rahul Arote for the Applicant
Mr.Arfa Sait, APP, for Respondent – State

CORAM: **MRS.MRIDULA BHATKAR, J.**

DATE: **JUNE 16, 2015**

P.C.:

1. The applicant/accused apprehends arrest in the C.R.No.I-63 of 2015 registered on 28.2.2015 at Panvel police station, Navi Mumbai for the offence punishable under section 376 (2) (N) of the Indian Penal Code. The prosecutrix is a 32 years old widow and a working woman. She was married in 2000 and in 2006 unfortunately, she lost her husband. In 2014, she came in contact with the applicant/accused, who was her schoolmate. The applicant/accused proposed to her in June 2014. She found him suitable and she informed about the proposal to her brother-in-law and the family members. They started meeting often and in August, 2014, he took her on some religious tour. At that time, in one hotel on Mumbai Goa highway, he took her and forced her to have sexual relations. Though she was not ready as he promised that he would marry her, she agreed for the same and thereafter on 2 – 3 occasions, he called her in a lodge and by giving promise

to marry, he sexually abused her and raped her. The learned Counsel for the applicant has submitted that the applicant/accused is innocent and he has not committed any offence.

2. The learned Prosecutor has opposed the application. He submitted that the incident of forcible sexual intercourse was for more than one time and so the offence was registered under section 376(2)(N) of the Indian Penal Code.

3. Perused the FIR. Though the applicant/accused is a widow, she was married for six years. She is 32 years old. In view of this, prima facie, I find that it is a fit case to grant pre-arrest bail. Accordingly, the Anticipatory Bail Application is allowed on the following terms:

- i) In the event of arrest, the applicant/accused shall be released on bail upon furnishing P.R. Bond in the sum of Rs.15,000/-, with one or two sureties in the like amount;
- ii) The applicant shall not tamper with the evidence;
- iii) The applicant shall cooperate with the Investigating Officer and attend the concerned police station on 22nd June, 2015 and 29th June, 2015, between 4pm to 5pm.

(MRS.MRIDULA BHATKAR, J.)