

Vidya Amin

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

BAIL APPLICATION NO. 514 OF 2016

Ranjitkumar Ajaykumar Dholiya	...	Applicant
Vs.		
The State of Maharashtra	...	Respondent

Mr. Ram Pandey, Advocate for the applicant.
Ms. A.T. Javeri, APP for the State.

CORAM: **MRS.MRIDULA BHATKAR, J.**
DATE: **31st March, 2016.**

P.C.:

This Application is moved for bail, as the applicant/accused is facing charges under sections 376, 420, 323, 504, 506 of the Indian Penal Code in C.R. No. I-17 of 2016 registered with Naya Nagar Police Station. The offence is registered on 18th January, 2016.

2. It is the case of the prosecutrix that in February, 2011 she got acquainted with the applicant/accused and they used to study together at Poonam Sagar Library. The applicant/accused posed that he was to appear for UPSC examination and the prosecutrix for studying for her CA examination. She cleared her CA in 2013. At that time, the applicant/accused borrowed some money from her. She gave nearly Rs.5,00,000/- till 2015 to him, out of which, he returned Rs.4 lakhs and still some amount is to be returned. She had visited to Bharatpur, Rajasthan at his relatives daughter's wedding and there she realized that he does not have parents but has only grandmother and brother. On 25th

February, 2015 when he invited her to meet her at the residence of his maternal aunt, she went there but found nobody in the house. He raped her and threatened her that he would throw acid on her face. Under his pressure, she performed registered marriage, however, they did not reside together at any time and in September, 2015 she found applicant/accused in a compromising position with his maternal aunt. The applicant also further demanded Rs.15 lakhs and thereafter she gave complaint against him.

3. The learned counsel for the applicant/accused submitted that the applicant will be appearing for examination of Rajasthan Public Services Commission scheduled on 9th April, 2016 at Jaipur. He submitted that the applicant/accused has not committed any offence much less the offence of rape.

4. Learned APP opposed the Application. She submitted that the applicant/accused has no roots in Maharashtra and he is from Rajasthan.

5. Considering the facts of the case, after going through the statement of the prosecutrix and as the applicant/accused is going to appear for the examination , I am inclined to grant bail to the applicant/accused on the following terms and conditions:

ORDER

- (i) Application is allowed.

- (ii) The applicant/accused be enlarged on bail on furnishing PR. Bond in a sum of Rs.20,000/- with one or two sureties in the like amount and out of which one surety should be a local surety;
- (iii) The applicant shall not pressurize the complainant.
- (iv) The applicant shall not indulge into any criminal activity, while on bail;
- (v) The applicant shall attend the concerned police station on 15th April, 2016 between 11 a.m. to 12 noon.
- (vi) The applicant shall not abscond and furnish the telephone number and permanent address of his native place to the police along with address proof.
- (vii) The applicant shall not jump the bail.
- (viii) The applicant shall not leave India without the prior permission of the Court.
- (ix) In the event of breach of any of the above conditions, the prosecution will be at liberty to move the Court for cancellation of bail.

6. The Application stands disposed of on above terms.

(MRIDULA BHATKAR, J.)