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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

ANTICIPATORY BAIL APPLICATION NO. 2118 OF 2016

Dinesh Dattatray Kudav	...Applicant/Orig.Accused
Vs.	
State of Maharashtra	...Respondent/Orig.Compl.

Mr. Nitin Jadhav, Advocate for the Applicant
Smt. N.S. Jain, APP for the State

**CORAM : M.S. KARNIK, J.
DATED : 13TH DECEMBER, 2016**

PC. :

1. The applicant apprehends arrest in respect of C.R. No.I-216 of 2016 registered with the Dombivali Police Station. The FIR was registered on 6th October, 2016. The informant Mrs. Rashmi Rajendra Mohite in the FIR has alleged that the informant and the applicant were working together and doing the work of Event Management. For the work purpose they were going at different places and also staying together. It is alleged that the informant and the applicant had physical relations during the course of such visits. The first of such relation was in the year 2014. The informant has alleged that the applicant had assured

to support her till the very end. Thereafter on some occasions the applicant had physical relations with the informant against her wishes and harassed her.

2. Perused the FIR. The applicant and the informant are knowing each other since 2014 and had visited several places where informant alleges that the applicant had physical relations with her.
3. According to the learned Counsel for the applicant assuming that the contents of the FIR are true even then at the highest the relationship alleged by the informant is a consensual act of physical nature.
4. It is submitted by the learned APP that the offence is serious in nature and that every possible attempt is made by the applicant to tamper with the prosecution witnesses.
5. Having regard to these facts I am of the opinion that no fruitful purpose will be served by the custodial interrogation of

the applicant and the same is not necessary.

6. In these circumstances I am inclined to grant the pre-arrest bail to the applicant. Hence the following order:

1. In the event of arrest of the applicant in respect of C.R. No.I-216 by the Dombivali Police Station for the offenses punishable under Sections 376, 420, 323, 504, 506 of the Indian Penal Code, he shall be released on Bail on his furnishing a P.R. Bond in the sum of Rs.25,000/- with one or more sureties in the like amount.
2. The applicant shall attend the Dombivali Police Station twice a week on every Monday and Thursday between 11 a.m and 1 p.m and co-operate with the investigation.
3. The applicant shall not tamper with and threaten the prosecution witnesses.
4. The application is disposed of accordingly.

(M.S. KARNIK, J.)