

JPP

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

ANTICIPATORY BAIL APPLICATION NO. 256 OF 2017

Arif Sayyed Akbar Ali.

... Applicant.

V/s.

The State of Maharashtra & Ors.

... Respondents.

Mr. Omkarnath Ramkishore Tiwari for the Applicant.

Mr. Ajay Patil, APP for the State.

CORAM : A.S. GADKARI, J.

DATE : 24 April, 2017.

P.C. :-

1. The applicant was granted interim relief by an order dated 17th February 2017.
2. The applicant and the first informant are related *inter-se*. The first informant happens to be the sister-in-law of the wife of the applicant. After perusing the first information report and the papers of the investigation, it prima-facie appears that the alleged act as contemplated under Section 376 of the Indian Penal Code was a consensual act between two adult persons.

3. In view thereof, the applicant has made out the case for his release on pre-arrest bail. The interim relief granted by order dated 17 February 2017 is hereby confirmed.
4. The application is allowed in the aforesaid terms.

(A.S. Gadkari, J.)