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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO. 515 OF 2017

Chandankumar Vishnudev Mandal	..Applicant
Vs.	
State of Maharashtra	..Respondent

WITH

APPP NO. 342 OF 2017

Renu Devi Vijay Shah .	..Applicant/Intervener
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Mr. Viral Rathod i/b Bimla P. Chounal for applicant in ABA 515 of 2017.
Mr. Nilesh Soni i/b A. Yadav for Intervener.
Mr. Arfan Sait, APP for State.

CORAM: A.S. GADKARI, J.

DATE : 18th April 2017.

P.C.

1] The applicant is apprehending arrest in CR No.100 of 2017 dated 20.2.2017 registered with Juhu Police Stationi, Mumbai under Sections 376 and 420 of the Indian Penal Code.

2] Heard the learned Counsel for the applicant and the learned APP and also perused the record of investigation of the present crime.

3] The first information report is lodged by Smt. Renudevi Vijay Shah, aged about 34 yrs. It is alleged that, taking undue advantage of the situation, the applicant herein established physical relationship with the complainant and induced her to part with her valuables amounting to Rs.1,15,000/-.

4] A bare perusal of the first information report, would reveal reveals that the act as contemplated under Section 376 of the Indian Penal Code was a consensual act between the two adult persons. It further appears that the informant has parted with the valuables of her own and without there being any threats or inducement by the applicant. In view thereof the applicant has made out a case for grant of pre-arrest bail.

Hence, the following Order:

- (i) In the event of arrest in CR No.100 of 2017 registered with Juhu Police Station, Mumbai, the applicant shall be released on bail on his furnishing PR bond of Rs.25,000/- with one or two local sureties in the like amount
- (ii) The applicant shall attend the Investigating Officer as and when called for between 11.00 a.m. to 2.00 p.m. and to join the process of investigation till submission of final report/chargesheet.

(iii) The applicant shall furnish documents pertaining to his residential address and mobile number of his own and/or close relative/friend within two weeks, failing which the relief granted above shall stand vacated.

(iv) The applicant shall not tamper with evidence and/or influence the prosecution witnesses.

5] The application is allowed in the aforesaid terms.

6] In view of disposal of the A.B.A. No.515 of 2017, the Criminal Application No.342 does not survive and the same is accordingly disposed off.

(A.S. GADKARI,J.)