

FARAD CONTINUATION SHEET NO.
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE SIDE

ANTICIPATORY BAIL APPLICATION NO. 807 OF 2017

Sachin Ratanshi Shah Vs. State of Maharashtra

**Office Notes, Office Memoranda of Coram,
appearances, Court's orders or directions
and Registrar's orders.**

Court's or Judge's orders

Mr. Pawan Mali for applicant.
Mrs. J.S. Lohokaare, APP for State.
Mr. Narendra B. Pawar, A.P.I., Ambarnath Police Station present.

CORAM : A.S. GADKARI, J.

DATE : 3rd May 2017.

P.C.:

1] The applicant is apprehending arrest in CR. No.I-51 of 2017 dated 16.02.2017 registered with Ambarnath Police Station, District-Thane under Section 376, 366 of the Indian Penal Code.

2] The first information report is lodged by Miss. Shweta Navin Satra aged about 25 years. After perusing the first information report, it clearly reveals that the first informant had accompanied the applicant at Palitana, State of Gujrat and allegedly performed the marriage as per Jain religion in a temple situated at Palitana. It further appears that the first informant willingly accompanied the applicant at various places. The act as contemplated under Section 376 of the Indian Penal Code was a consensual act between the first informant and the applicant. It appears from the record that the applicant had informed the complainant that he was a married person and will give divorce to his present wife, however, as the applicant did not comply with his promise, the present

crime is registered. It Prima facie appears that Section 366 of the Indian Penal Code is not applicable to the present crime.

3] 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.I-51 of 2017 registered with Ambernath Police Station, District-Thane, the applicant shall be released on bail on his furnishing PR bond of Rs.25,000/- with one or two solvent 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 3.00 p.m. and to join the process of investigation till submission of final report/chargesheet.

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

4] The application is allowed in the aforesaid terms.

(A.S. GADKARI, J.)