

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

CRIMINAL BAIL APPLICATION NO. 1190 OF 2017

Rajiv Pravin Mahato

.. Applicant

Vs.

The State of Maharashtra & Anr.

.. Respondents

.....
Mr.R.D. Salve, Advocate for the Applicant.

Mr.Deepak Thakare, APP for the Respondent – State.

.....

CORAM : PRAKASH D. NAIK, J.

DATED : JUNE 28, 2017.

P.C. :

This is an application for bail. The applicant is arrested in connection with C.R.No.36 of 2017, registered with Gorai Police Station, Mumbai for the offences punishable under Sections 376 and 420 of the IPC.

2 The prosecution case is that the applicant and the complainant were acquainted with each other. They developed the friendship. The accused promised the complainant that he will marry her and had intimate relationship with the complainant. They visited several places and had physical relationship with each other. The complainant thereafter

suspected that the applicant is in relationship with some other women. Hence, FIR was registered.

3 The applicant preferred an application for bail before the Sessions Court which was rejected. The applicant is in custody from 23rd January, 2017. Investigation is completed and the charge-sheet has been filed. Perused the FIR and the other documents annexed to the charge-sheet. From the contents of the FIR, it is apparent that the applicant and the complainant were in relationship and it was intimate. They had also indulged into physical relationship which was consensual. It is alleged that the applicant did not fulfill the promise of marriage and, therefore, offences were registered under Section 376 and 420 of the IPC. Applicant has been in custody since January 2017. The investigation is completed and the charge-sheet has been filed. In the circumstances, further custody of the applicant is not necessary.

4 Hence, I pass the following order:

:: ORDER ::

- (i) The applicant be released on bail in connection with C.R. No.36 of 2016, registered with Gorai

Police Station, Mumbai on furnishing P.R. Bond in the sum of Rs.25,000/- (Rupees Twenty Five Thousand) with one or more sureties in the like amount;

- (ii) The applicant is directed to report Gorai Police Station, Mumbai, once in a month on first Monday of the month between 5.00 p.m. to 7.00 p.m.;
- (iii) The applicant is directed to furnish his details of his residential address as well as mobile number to the investigating officer;
- (iv) Bail Application is, accordingly, disposed of.

(PRAKASH D. NAIK, J.)