

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRI. BAIL APPLICATION NO.1495 OF 2017**

Anil Sohanlal Jain .. Applicant

vs.

State of Maharashtra .. Respondent

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Mr.S.V.Marwadi for Applicant.

Ms.J.S.Lohakare APP for State.

Mr.Shirvadkar PSI Goregaon Police station present

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CORAM : PRAKASH D. NAIK, J.

DATED : 07 July 2017.

P.C. :

1. This is an Application for bail.

2. The applicant is arrested on 23.5.2017. The FIR was initially lodged for the offence under sections 354, 354A of IPC. It is alleged in the FIR that the Applicant-Accused who is related to the victim had told her that he is having a clip of the Complainant with him and he called her at his residence on 25.4.2017. The Applicant-accused outraged the modesty of the victim. She left place of the incident and thereafter informed the incident to her

relative on the next day. The FIR was registered on 23.5.2017 after about a month from the date of the incident. The supplementary statement was recorded on 24.5.2017 wherein the victim has stated that the Applicant-accused had sexual intercourse with her while by force and therefore, section 376 of IPC was added.

3. Perused the FIR and the supplementary statement. The alleged incident had occurred on 25.4.2017. In the FIR, it is alleged that the Applicant had committed offence under sections 354 and 354 A of the IPC. However, in the supplementary statement the victim has improved her version by attributing the role of commission of sexual intercourse to the Applicant. Primarily, the FIR itself was lodged belatedly after about one month. The complainant has stated that she is related to the Applicant. Although the charge sheet is not filed, the Applicant is in judicial custody since 23.5.2017. The Applicant can be released on bail. Hence, the following order :

ORDER

(i) The Applicant is directed to be released on bail in connection with C.R.No.209 of 2017 registered with the Goregaon Police Station on furnishing P.R.Bond in the sum of Rs.30,000/- with one or two sureties in the like amount ;

(ii) The Applicant is directed to report at Goregaon Police Station once in fortnight on Saturday between 11 a.m. to 1 p.m. till filing of the charge sheet.

Application is disposed of.

(PRAKASH D. NAIK, J.)