

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO.575 OF 2017

Ashok Baburao Patil	Appellant
V/s.	
State of Maharashtra	Respondent

Mr. Rahul S. Kate, Advocate for Appellant.
Mr. H.J.Dedhia, APP for Respondent-State.
Mr. Mahindra B. Deshmukh, Advocate for applicant in
Application No.981 of 2017.

**CORAM : SMT. V.K. TAHILRAMANI, &
SANDEEP K. SHINDE, JJ.**

DATE : July 19, 2017.

ORAL JUDGMENT : [Per Smt. V.K.Tahilramani, J.]

Heard the learned counsel for the appellant, the
learned counsel for the complainant and the learned APP
for the State.

2 This appeal has been preferred against the order
dated 3.7.2017 passed by the Additional Sessions Judge, Karad
in Criminal Miscellaneous (Bail) Application No.106 of 2017
preferred by the appellant wherein he has sought anticipatory

bail in C.R.No.147 of 2017 registered at Koregaon Police Station for offence punishable under Sections 376, 417, 406, 420, 323, 504 and 506 of Indian Penal Code and Sections 3 and 4 of Scheduled Caste & Scheduled Tribe (Prevention of Atrocities) Act, 1989 and under Sections 8 and 10 of Protection of Civil Rights Act, 1955. By the order dated 3.7.2017, Application No.106 of 2017 preferred by the appellant seeking anticipatory bail came to be rejected. It is stated that the said C.R. has now been transferred to Karad City Police Station and it has been numbered as 363 of 2017.

3 The complainant is a married lady. She has specifically stated in her FIR that the appellant promised to marry her and had sexual relations with her from time to time. She has stated that on 8.5.2017 when she asked the appellant when he would marry her, the appellant abused her in relation to her caste and had forcible sexual intercourse with her. It is further the case of the complainant that the appellant took an amount of Rs.3,86,000/- from her as well as two gold rings. However, he avoided to return the amount taken from her. Looking to the allegations made in the FIR, custody of the appellant would be necessary in order to recover the amount and articles of the complainant hence, we are not inclined to

grant anticipatory bail.

4 The Appeal is dismissed.

5 At this stage, the learned counsel for the appellant states that interim protection may be extended as they wish to approach the Apex Court. In view of the prayer made, interim protection is extended till 8.8.2017.

(SANDEEP K. SHINDE, J) (SMT. V.K. TAHILRAMANI, J)

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CRIMINAL APPLICATION NO.981 OF 2017
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Madhuri Prakash SontakkeApplicant

IN THE MATTER BETWEEN

Ashok Baburao PatilAppellant

V/s.

State of MaharashtraRespondent

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P.C:

In view of the averments made in the application, the application is allowed and the intervenor (Complainant) is allowed to intervene in the Criminal Appeal No.575 of 2017.

2 The application stands disposed of accordingly.

(SANDEEP K. SHINDE, J) (SMT. V.K. TAHILRAMANI, J)