

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

CRIMINAL BAIL APPLICATION NO. 1718 OF 2017

Mukhtar Ahmed Karim

...Applicant

Versus

The State of Maharashtra

...Respondent

Mr. Anand Pandey for the applicant.

Mr. V. V. Gangurde, APP for the respondent - State.

CORAM : PRAKASH D. NAIK, J.
DATE : 2 AUGUST, 2017

P.C. :

1. The applicant is seeking bail in connection with C.R. No.113 of 2016 registered with Oshiwara Police Station, Mumbai for the offences under sections 376(n), 506(2) of IPC.

2. The prosecution case is that the victim / complainant who is aged about 23 years was acquainted with applicant. It is alleged that somewhere in December, 2015, the applicant had forceful physical relationship with victim and threatened her that she should not disclosed the incident to any person. It is further alleged that thereafter for a period of one and half months, the complainant and

applicant had sexual relationship. It was further noticed that the victim was pregnant. She insisted for marriage. The applicant stated that he would marry her shortly. The victim also parted a sum of Rs.16,000/- and golden ring to the applicant. However, the applicant tried to flee and hence FIR was lodged.

3. Perused the chargesheet. From reading the FIR, it appears that about one and half months, the complainant and the applicant had sexual relationship which appears to be consensual. There is no medical evidence to indicate that the victim was pregnant. The applicant is arrested on 14th April, 2016. The investigation is completed and the chargesheet has been filed. In these circumstances, bail can be granted to the applicant. Hence, I pass following order;

:: ORDER ::

- (i) Bail Application No.1718 of 2017 is allowed.
- (ii) The applicant is directed to be released on bail in connection with C.R. No.113 of 2016 registered with Oshiwara Police Station, Mumbai on furnishing P.R Bond in the sum of Rs.25,000/- (Rupees Twenty Five Thousand only.) with one or more sureties in the like amount.

- (iii) The applicant shall attend the concerned police station once in a month on the first Saturday of the month between 11.00 am to 1.00 pm till further orders.
- (iv) The applicant is permitted to furnish cash security for a period of two weeks in lieu of sureties.
- (v) Application stands disposed of.

[PRAKASH D. NAIK, J.]