

the further prosecution case that, the applicant on the pretext of purchasing room for residence of the first informant, took cash amount of approximately Rs.70,000/- from her. That subsequently their relationships were strained and it is alleged that the applicant gave threats to the first informant. In the premise the first information report is lodged.

3] Perused the first information report and chargesheet. Prima facie, it appears that the act as contemplated under Section 376 of the Indian Penal Code was a consensual act between two adult persons and therefore, Section 376 of the Indian Penal Code may not be attracted to the present crime. The applicant is arrested on 29.3.2017 and since then he is in jail. It is submitted that there are no antecedents at the discredit of the applicant. In view thereof, this Court is of the view that further incarceration of the applicant is not necessary and the applicant can be released on bail.

Hence, the following Order:

(i) The applicant be released on bail in CR No. 14 of 2016 registered with Dighi Sagari Police Station on his furnishing PR bond of Rs.25,000/- with one or two solvent local sureties in the like amount.

(ii) After his release from the jail, the applicant shall attend the concerned Police Station every 1st Monday of the month between 10.00 a.m. to 12.00 noon.

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

4] Application is allowed in the aforesaid terms.

(A.S.GADKARI, J.)