

Anand

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

BAIL APPLICATION NO. 2228 OF 2017

Nitin Sampat Sarak

.Applicant

Vs.

The State of Maharashtra

.Respondent

Mr. P. S. Hagare, Advocate, for the Applicant

Mr. S. R. Agarkar, APP, for the Respondent – State

CORAM : A.S.GADKARI, J.

DATE : 09.11.2017

P.C.

. This is an application under Section 439 of Cr. P.C. for bail in CR No. 214 of 2017 registered with Lonand Police Station, Satara under Sections 366, 376(2)(n), 323 & 506 of the Indian Penal Code.

2. The first information report is lodged by Sou. Vidya Jagannath Narute alleging that the Applicant abducted her and thereafter, committed forcible sexual intercourse with her. In her first information report, she has stated that the Applicant abducted her on 06.08.2017 and for about 4-5 days she was residing with him at Siddhatek, District – Ahmednagar and when on 12.08.2017 at about 6.00 p.m. her husband and police came at the said room, she was found with the Applicant herein. During the course of investigation, the

Applicant came to be arrested on 13.08.2017.

3. Perused the record. Prima facie, it appears that the first informant and the Applicant were having an affair. That the first informant was aged about 28 years and was residing in a room alongwith Applicant and when it came to the knowledge of her husband, the present crime was registered.

4. In view thereof, Applicant can be released on bail.

Hence, the following Order:

(i) The Applicant be released on bail in CR No. 214 of 2017 registered with Lonand Police Station, Satara 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 Monday between 10.00 a.m. to 12.00 noon till the conclusion of trial;

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

5. Application is allowed in the aforesaid terms.

(A.S.GADKARI, J.)