

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**  
**NAGPUR BENCH : NAGPUR**

**Criminal Application (ABA) No. 846 of 2016**

Nemichand v. The State of Maharashtra

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Office Notes, Office Memoranda of Coram,  
appearances, Court's orders of directions  
and Registrar's orders  
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Court's or Judge's orders

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Shri R. R. Vyas, Advocate for applicant  
Shri V. P. Maldhure, APP for respondent-State  
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**Coram : S. B. Shukre, J**

**Dated : April 27, 2017**

Heard. Perused the First Information Report and  
reply of the prosecution.

Though this application has been opposed by learned Additional Public Prosecutor, I do not think that the opposition could be said to be with any reasonable basis at least at this stage. It is apparent from the allegations made in the First Information Report that prosecutrix was well aware of the fact that the applicant was a married person having two children, before physical relations were established. Now, it is a different matter that the prosecutrix says that coercion was involved and that the applicant had promised to marry with her on giving divorce to his wife. It is significant to note that the physical relations were established about 4/5 years back. In these circumstances, I am of the view that this is a fit case for grant of confirmed anticipatory bail to the applicant.

Application is allowed and the interim bail  
granted by this Court on 27.12.2016 is hereby confirmed on

the same conditions with the clarification that the applicant may attend the Police Station as and when required.

**JUDGE**

*joshi*