

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

BAIL APPLICATION NO. 242 OF 2018

Mahendra Shantaram SableApplicant

V/s.

The State of MaharashtraRespondent

Mr. Jitendra M. Patil for the applicant.

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

CORAM: SMT. ANUJA PRABHUDESSAI, J.

DATED: 28th AUGUST, 2018.

P.C.:

. This is a bail application filed by the aforesaid applicant who has been arrested in C.R. No.147 of 2017 registered with Otur Police Station, District – Pune for offences punishable under sections 376 (1) (2N), 504 and 506 of the Indian Penal Code.

2. Heard Mr. Jitendra M. Patil, learned counsel for the applicant and Mr. S.R. Agarkar, learned APP for the State. I have perused the records and considered the submissions advanced by the learned counsels for the respective parties.

3. The afore stated crime was registered pursuant to the first information report lodged by the prosecutrix. A perusal of the first

information report indicates that the prosecutrix is 24 years of age and that she was in physical relationship with the applicant since the year 2015. Though the first information report indicates that initially the applicant had disclosed his identity as Santosh Kamble, she had subsequently learnt that his name was Mahendra Sable and that he is a married man with two daughters. The first information report *prima facie* reveals that even after knowing that the applicant is a married man, the prosecutrix had continued her relationship with the applicant. The first information report *prima facie* reveals that their relationship was consensual.

4. Furthermore, the applicant was arrested since 30/08/2017. Charge sheet has already been filed and his presence is not required in custody for the purpose of investigation. Considering the above facts and circumstances, in my considered view, I pass the following order :-

(a) Bail Application is allowed.

(b) The applicant is ordered to be released on bail in Crime No.146/2017 on furnishing fresh bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with one or two solvent sureties in the like

amount, to the satisfaction of Additional Sessions Judge, Khed-Rajgurunagar.

(c) The applicant shall furnish his permanent address and contact number, if any and all other contact details to the concerned court.

(d) The applicant shall not change his residential address without prior intimation to the concerned Court.

(e) The applicant shall not interfere with the victim or the other witnesses in any manner.

(SMT. ANUJA PRABHUDESSAI, J.)