

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION No. 731 of 2018.

Pramod Suryakant Shigwan ..Applicant.
Vs
State of Maharashtra ..Respondent.

Mr. Sachin Pawar, Advocate for the Applicant.
Mr. S.R. Agarkar, APP for the State.
Mr. S.R. Jasak, Police Sub-Inspector, Mahad Police Station,
Raigad District present.

CORAM: SMT. ANUJA PRABHUDESSAI, J.
DATE : 4TH SEPTEMBER, 2018

P.C:-

- 1) This is an application filed by the aforesaid applicant for pre-arrest bail under Section 438 of Criminal Procedure Code, apprehending his arrest in C.R.No. 10 of 2018 registered at Mahad Police Station, District Raigad for offences punishable under sections 376 and 506 of the Indian Penal Code.
- 2) Heard Mr. Sachin Pawar, learned counsel for the applicant and Mr. Agarkar, learned APP for the State. Perused the records and considered the submissions advanced by the learned counsels for the respective parties.
- 3) The case of the prosecution is that on 10th December, 2017 the applicant herein committed rape on the first informant

and that he threatened to cause the death of her son. The record, more particularly the Chapter Case No. 207/2018 prima facie reveals that the husband of the first informant had lodged a complaint against the applicant herein, wherein it is alleged that the applicant was having illicit relationship with his wife. The said proceedings were initiated much prior to the filing of the present first information report.

4) Considering the above facts and circumstances and also considering that the interim bail was granted in favour of the applicant by an order dated 13th April, 2018 and that he has cooperated with the investigation and that the investigation is complete and charge-sheet is likely to be filed, in my considered view, this is a fit case for grant of bail. Hence, the following order :-

(i) In the event of arrest in Crime No. 10 of 2018 registered with Mahad Police Station, District Raigad, the applicant be released on bail on furnishing bail bonds of Rs. 25,000/- with one or two sureties in the like amount to the satisfaction of the concerned Investigating Officer.

(ii) The applicant shall report to the

Investigating Officer as and when required and called by the Investigating Officer.

(iii) The applicant shall furnish his permanent and temporary addresses, if any, and his contact details to the Investigation Officer.

(iv) The applicant shall not change his residential address without prior intimation to the Investigation Officer.

(v) The applicant shall not interfere with the complainant/first informant, other witnesses and shall not tamper with the evidence in any manner.

5) Application is allowed in the above terms.

(SMT. ANUJA PRABHUDESSAI, J.)