

*Nalawade*FARAD CONTINUATION SHEET No.

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO. 1003 OF 2017

Yuvrajsinh S. Chudasama vs. The State of Maharashtra

Office Notes, Office Memorandum of Coram, appearances, Court's orders or directions and Registrar's orders	Court's or Judge's orders
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Shri. S.P.Kadam i/by B.L.Jagtap for the Applicants.
Mr. R.M.Pethe, APP for the Respondent-State.

CORAM :A.S.GADKARI, J.

DATE : 23rd January, 2018

P.C.

1. By a reasoned order dated 16.6.2017 the applicant was granted interim relief.
2. Heard the learned counsel for the applicant and the learned APP. Perused the record of investigation.
3. The learned counsel for the applicant submitted that as a matter of fact the applicant and the informant were having friendly relations for more than 2 years and the offence as alleged against the applicant under Section 376 of Indian Penal Code was a consensual act between two adult persons. The record of investigation reveals that in the blood sample of the first informant no ethyl alcohol was detected and he therefore, submitted that the allegation of spiking of drink of informant

has no basis for it. Prima facie I find substance in the contention of the learned counsel for the applicant.

4. In view thereof, interim relief granted by an order dated 16.6.2017 is hereby confirmed. However, the condition to attend the concerned police Station and the Investigating Officer is waved.

5. Application is allowed in the aforesaid terms.

(A.S.GADKARI, J.)