

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO. 1147 OF 2018

Anish Ashit Das

....Applicant.

Vs.

The State of Maharashtra

....Respondent.

Mr. Milan Desai i/by A.M. Desai for the Applicant.

Mr. Ameet Palkar APP, for the Respondent-State.

Mr. S.V. Chaugule for the Complainant.

CORAM : A. S. GADKARI, J.

DATE : 29th JUNE, 2018.

P.C.:-

By an Order dated 14th June, 2018 the Applicant was granted interim relief and was directed to attend the Investigating Officer on stipulated dates and to join the process of investigation.

2 Heard the learned counsel for the Applicant, the learned counsel for the first informant and the learned APP. Perused the record of investigation.

3 As noted in the Order dated 14th June 2018, it appears from the record that, the first informant was aged about 25 years on the date of incident and it prima facie, further appears that she was a consenting party to the alleged act as contemplated under Section

376 of the Indian Penal Code, by the Applicant.

4 The record indicates that the Applicant has attended the investigating Officer on stipulated dates and has joined the process of investigation. After perusing the record, this Court is of the view that the custodial interrogation of the Applicant for further investigation of the crime is not necessary.

5 In view of above, the interim relief granted by Order dated 14th June, 2018, is hereby confirmed. However, the condition to attend the Investigating Officer of the concerned Police Station is waived.

6 Application is allowed in the aforesaid terms.

(A.S. GADKARI, J.)