

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

CRIMINAL BAIL APPLICATION NO.1806 OF 2018

Jitendra Kumar Vishwakarma

.. Applicant

Vs.

State of Maharashtra & Anr.

.. Respondents

.....

Mr.Ujjwal Gandhi I/b. Mrs.K.R. Shah, Advocate for the Applicant.
Mr.Y.M. Nakhwa, APP for the Respondent - State.

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CORAM : PRAKASH D. NAIK, J.

DATED : AUGUST 24, 2018.

P.C. :

Applicant is praying for bail in connection with CR No.279 of 2018, registered with Juhu Police Station, Mumbai, for the offences punishable under Sections 376, 354(A) read with 34 of IPC.

2 Applicant was arrested on 18th June, 2018, and, since than he is in custody. Prosecution case is that the first informant is theater assistant. She was knowing applicant no.2. Through him, she got acquainted with accused no.1. Accused no.1 was a film producer. He assured the first informant that he would give her role. According to the first informant, as she had hopes that

accused would provide her work, she was in contact with accused no.1. Accused No.1 then proposed her for marriage. Thereafter, both of them indulged in physical relationship. Accused no.1 then started avoiding her. She contacted applicant-accused no.2 to know the whereabouts of accused no.1. It is alleged that at that point of time, applicant had demanded sexual favour. In pursuant to that, FIR was lodged with the aforesaid police station. Taking the prosecution case as it is, the charge, which could levelled against the applicants under section 354 of IPC, which is a bailable offence. Applicant is in custody since 18th June, 2018. The co-accused whom the primary role is attributed is also arrested and he is in custody.

3 Learned APP submitted that the applicant has been impleaded on account of the alleged role attributed to him by the the complainant. The investigation is still in progress. However, it is pertinent to note that the allegations for offence under Section 376 were attributing to accused no.1. Applicant is implicated on the basis of the charge under Section 354A. In the circumstances, bail can be granted to the applicant.

4 Hence, I pass the following order:

:: ORDER ::

- (i) Bail Application No.1806 of 2018, is allowed;
- (ii) Applicant is directed to be released on bail in connection with CR No.279 of 2018, registered with Juhu Police Station, Mumbai, on furnishing P.R. Bond in the sum of Rs.20,000/-, with one or ore sureties in the like amount;
- (iii) Applicant is permitted to furnish cash security in the sum of Rs.15,000/-, for a period of two weeks.
- (iv) Applicant shall attend Juhu Police station, Mumbai, once in a fortnight on Friday between 10:00 a.m. to 12:00 noon, till filing of the charge - sheet;

(v) Bail Application No.1806 of 2018, stands disposed of;

(vi) Parties to act on an authenticated copy of this order.

(PRAKASH D. NAIK, J.)