

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CRIMINAL APPELLATE JURISDICTION****ANTICIPATORY BAIL APPLICATION NO.1578 OF 2018**

Balkrishna Mandavkar

....Applicant.

Vs.

The State of Maharashtra

....Respondent.

Mr. Ashok Mundargi a/w Niranjan Mundargi I/by Dhrutiman S. Joshi
for the Applicant.

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

CORAM : A. S. GADKARI, J.

DATE : 13th AUGUST, 2018.

P.C.:-

The Applicant is apprehending arrest in CR No. 180 of 2018 dated 16th July, 2018, registered with V.P. Road Police Station, Mumbai under Sections 376 and 417 of the Indian Penal Code.

2 Heard the learned counsel appearing for the Applicant and the learned APP. Perused the record.

3 The prosecutrix is aged about 34 years. In the first information she has categorically admitted that she was a consenting party to the alleged act as contemplated under Section 376 of the Indian Penal Code.

4 In view thereof, the custodial interrogation of the

Applicant for further investigation of the present crime is not necessary and the Applicant can be granted pre-arrest bail.

Hence, the following order-

- a) In the event of arrest in CR No. 180 of 2018, registered with V.P. Marg Police Station, Mumbai the Applicant shall be released on bail on his furnishing PR bond of Rs.25,000/- with one or two solvent local sureties in the like amount.
- b) The Applicant shall attend the Investigating Officer as and when called for between 11.00 a.m. to 2.00 p.m. upon receipt of notice in writing from the Investigating Officer and to join the process of investigation till submission of the final report.
- c) The Applicant shall not tamper with the evidence and/or pressurize the prosecution witnesses.

5 Application is allowed in the aforesaid terms.

S S
Mashalkar

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by S S Mashalkar
Date: 2018.08.20
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(A.S. GADKARI, J.)