

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

BAIL APPLICATION No. 2392 of 2018.

Maruti Vitthal Kharat

..Applicant.

Vs

State of Maharashtra

..Respondent.

Mr. Karan Bhosale a/with Mr. Vipul Singh i/by NDB Law for the applicant.

Mrs. J.S. Lohokare, APP for the State.

CORAM: SMT. ANUJA PRABHUDESSAI, J.

DATE : 19TH SEPTEMBER, 2018

P.C:-

1) This is an application under Section 439 of Criminal Procedure Code for bail, filed by the aforesaid applicant who is arrested in C.R.No. 249 of 2018 registered at Vaduj Police Station, District Satara for offence punishable under Sections 376, 506 read with section 34 of Indian Penal Code.

2) Heard Mr.Karan Bhosale, learned counsel for the applicant, Mrs J.S. Lohokare, learned APP for the State. Perused the records and considered the submissions advanced by the learned Counsels for the respective parties.

3) The aforesaid crime was registered pursuant to the first information report lodged by the prosecutrix. The first

information report prima facie reveals that the prosecutrix was having love affair with co-accused Mangesh Laxman Kharat. The prosecutrix has alleged that said Mangesh had forcible sexual relationship with her under the threat that he had taken her nude photographs and that he would show the said photographs to her relatives and also post the same on social media. It is also alleged that, on 20th July, 2018 said Mangesh Kharat had taken her at Waduj by a Skoda car which belongs to the present applicant.

The record prima facie reveals that the applicant is the driver of the said Skoda car. Apart from the fact that the co-accused Mangesh had hired the said car of the applicant, there is no other material to indicate that he was involved in the said crime.

4) The learned APP submits that the present applicant is in judicial custody and his presence is no longer required for the purpose of investigation of the present crime. The applicant is a permanent resident of Satara and there is no chance of his absconding.

5) Considering the above facts and circumstances, the applicant is entitled for bail on the following terms and

conditions.

- (i) Application is allowed.
- (ii) The applicant be released on bail in C.R. No.249 of 2018 registered at Vaduj Police Station, District Satara, on his furnishing bail bonds of Rs. 25, 000/- with one or two solvent sureties in the like amount to the satisfaction of the learned Additional Sessions Judge, Vaduj.
- (iii) The applicant shall report to the Investigating Officer on first Monday of every month till framing of charge.
- (iv) The applicant shall furnish his permanent and temporary addresses, if any, and his contact details to the Investigation Officer.
- (v) The applicant shall not change his residential address without prior intimation to the Investigation Officer.
- (vi) The applicant shall not interfere with the complainant/first informant, other witnesses and shall not tamper with the evidence in any manner.

(SMT. ANUJA PRABHUDESSAI, J.)