

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL BAIL APPLICATION NO.302 OF 2019

Abhay Padmakar Wayada, Age 32 years,
Occ.Labourer, R/o.Kolekar Pada,
Parli Naka, Wada, Palghar.

Applicant

versus

The State of Maharashtra

Respondent

Mr.S.V.Marwadi I/by N.M.Nadar for applicant.

Mrs.G.P.Mulekar, APP, for State.

Mr.Sushil Bhosale, Wada Police Station, present.

CORAM : PRAKASH D. NAIK, J.

DATE : 14th February 2019

PC :

1. This is an application for bail in CR No.I-7 of 2019 registered with Wada Police Station for offences under Sections 376(2)(n), 312 and 420 of Indian Penal Code. The FIR was lodged on 3rd January 2019.

2. The complainant was acquainted with the accused since 2011. Both of them were in relationship. The accused had promised her of marriage. There was physical relationship between both of them on several occasions. The victim was pregnant on two occasions and the pregnancy was terminated. The accused had allegedly given some pills to her. The applicant was arrested on the same day. Presently he is in judicial custody.

3. The prosecution case indicate that the accused and the complainant were acquainted with each other since 2011 and there

was physical relationship between them. The relationship was consensual in nature. The complainant is married woman aged about 26 years. Considering the factual matrix of the case, further detention of the applicant is not necessary. Case for grant of bail is made out.

4. Hence, I pass following order :

ORDER

- (i) Criminal Bail Application No.302 of 2019 is allowed and disposed off;
- (ii) The applicant is directed to be released on bail in connection with CR No.I-7 of 2019 registered with Wada Police Station, on furnishing PR bond in the sum of Rs.25,000/- with one or more sureties in the like amount;
- (iii) The applicant shall report Wada Police Station once in a month on every first Saturday between 11 am to 1 pm till further orders;
- (iv) The applicant shall not tamper with evidence and shall attend Trial Court proceedings regularly, unless exempted for some reason by Trial Court;
- (v) The applicant is permitted to furnish cash security in the sum of Rs.25,000/- for a period of six weeks.

(PRAKASH D. NAIK, J.)

MST