

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

ANTICIPATORY BAIL APPLICATION NO. 1336 OF 2018

Suresh Rajgopal Kalyan	... Applicant
Vs.	
The State of Maharashtra	... Respondent

...

Ms. Sejal Shah I/by Mr. R.J. Baddam for the applicant.
Mrs. G.P. Mulekar, APP for the Respondent-State.

...

**CORAM : PRAKASH D. NAIK, J.
DATE : 12th FEBRUARY, 2019.**

P.C.

1. This is an application for anticipatory bail in connection with CR No.I-163 of 2018 registered with Bhayander Police Station for the offence punishable under Section 376, 354, 506 of Indian Penal Code.
2. Applicant had preferred an application for anticipatory bail before the Sessions Court which has been rejected. During the pendency of application before the Sessions Court, applicant was granted interim protection. Learned counsel for the applicant submits that applicant had attended the police station on three occasion. Subsequently, application was rejected. This application

is pending before this Court since last six months.

3. Learned APP submits that during the pendency of application before the Sessions Court, the complainant had lodged NC complaint against the applicant.

4. On perusal of the First Information Report, it can be seen that the complainant is a major lady and was acquainted with the family of the applicant. It is alleged that the applicant had sexually assaulted her. Exact date of incident is not reflected in the First Information Report. Learned counsel for the applicant submits that father of the applicant has given amount of Rs.1,00,000/- to the first informant for performing marriage and when the said amount was demanded this case has been registered.

5. Applicant was granted interim protection vide order dated 22nd January, 2019 with a direction to report to the Investigating Officer on 29th January, 2019 and 30th January, 2019. It is undisputed that the applicant has reported to the Investigating Officer. Learned APP submitted that medical examination of the applicant is conducted. In view of aforesaid circumstances, interim order dated 22nd January, 2019 deserves to be confirmed. Hence, I pass the following order.

ORDER

- i. Interim order dated 22nd January, 2019 stands confirmed;
- ii. In the event of arrest of the applicant in connection with CR No. 163 of 2018 registered with Bhayander Police Station, the applicant be released on bail on furnishing PR Bond in the sum of Rs.20,000/- with one or more sureties in the like amount;
- ii. Applicant shall attend to the Investigating Officer of the concerned police and and when called till filing of the chargesheet;
- iii. Applicant shall not tamper with the witness;
- iv. Anticipatory Bail Application stands disposed off.

(PRAKASH D. NAIK, J.)