

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

ANTICIPATORY BAIL APPLICATION NO. 1877 OF 2018

Dr. Saad Mahvy	... Applicant
Vs.	
State of Maharashtra	... Respondent

...

Mr. Saeed Akhtar a/w Mr. Akhtar, Mr. Hitesh Thorat, Ms. Pinny Pathak for the appicant.

Ms. A.A. Takalkar, APP for the Respondent-State.

...

CORAM : PRAKASH D. NAIK, J.

DATE : 22nd JANUARY, 2019.

P.C.

1. This is an application for anticipatory bail in connection with C.R. No. 391 of 2018 registered with Amboli Police Station for the offence punishable under Sections, 376(2)(k), 417, 506 of Indian Penal Code.

2. The First Information Report was lodged on 4th September, 2018. The complainant was working in the Dental Clinic of the applicant since 2016 at Andheri. It is alleged that in May, 2016 the applicant/accused had forceful sexual intercourse with the complainant under threat. It is further alleged that thereafter, there was physical relationship between the complainant and the applicant/accused on several occasions. It is also alleged that the applicant had promised the complainant of marriage. The first

alleged incident had occurred in May, 2016 and FIR was lodged on 4th September, 2018.

3. Applicant was granted interim protection by order dated 12th September, 2018 with a condition that applicant shall attend the Investigating Officer from 17th to 19th September, 2018 between 10.00 a.m. to 12 noon. Learned counsel for the applicant submits that applicant has attended the police station and co-operated with the investigation.

4. Considering the nature of allegations and the aforesaid circumstances, interim order dated 12th September, 2018 is required to be confirmed. Hence, I pass the following order.

ORDER

- i. Anticipatory Bail Application is allowed;
- ii. Interim order dated 12th September, 2018 stands confirmed;
- iii. In the event of arrest in C.R. No. 391 of 2018 registered with Amboli Police Station for the offence punishable under Sections 376(2)(k), 417, 506 of Indian Penal Code, the applicant be released on bail on furnishing PR Bond in a sum of Rs.20,000/- with one or more sureties in the like amount;
- iv. Application stands disposed off.

(PRAKASH D. NAIK, J.)