

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

BAIL APPLICATION NO. 2753 OF 2019

Rahul Ramchandra Kadam	...Applicant
V/s.	
The State of Maharashtra	Respondent

Ms Anjali Patil a/w Arun Rajput for the Applicant.
Ms Rutuja Ambekar, APP for the State.
PSI, Sandesh Bhise, Tilaknagar Police Station.

CORAM : SANDEEP K. SHINDE, J.
DATE : 13th DECEMBER, 2019.

P.C.

Heard Learned Counsel for the Applicant and the APP for the State.

2. The Applicant seeks enlargement on bail in Crime No. 39/2019 registered with the Tilaknagar Police Station for the offences punishable under Sections 376, 354 of the Indian Penal Code. The victim is 21 years old, a student of F.Y.B.Com. She alleged in August, 2018 and, thereafter, applicant sexually and physically assaulted her. She further alleged that applicant had sent her pictures on the mobile of one Vijay Jadhav, who is the relative of Siddharth Kamble with whom her marriage was proposed. After seeing pictures, her engagement was

broken.

3. Victim is twenty one year old. Complaint suggest her consensual relationship with the applicant. It is reported pictures, allegedly sent by the applicant on the cell phone were not obscene, though alleged. The investigation is over. Applicant is in the jail since January, 2019 and no criminal antecedents are pointed out against him. The trial in this case is not likely to commence in the near future and applicant's presence in the trial can be secured by imposing conditions. Even otherwise, applicant has filed an affidavit, interalia, undertaking, not to influence victim and/or her relative in any manner.

4. The Application is allowed and the Applicant is directed to be released on bail on the following terms and the conditions.

ORDER

i) The Applicant in the Crime No. 39 of 2019 registered with the Tilaknagar Police Station for the offences punishable under Section 376 and 354 of the Indian Penal Code, he shall be released on bail, on executing P R. Bond in the sum of Rs. 25,000/- with one or more sureties in the like amount;

ii) Applicant undertakes that he shall not in any manner contact or influence the victim or her family members and further

undertakes to stay out of Mumbai until the charge is framed. The undertaking shall be filed within 15 days from his release on bail.

(iii) The Applicant shall report to the Investigating Officer on 10th day of each month commencing from January, 2020 initially for the period of six months

(iv) The Applicant shall furnish particulars of his residential address and the mobile number to the Investigating Officer within fifteen days from his release on bail.

5. The Application is allowed and disposed of accordingly.

(SANDEEP K. SHINDE, J.)