

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL ANTICIPATORY BAIL APPLICATION NO.2392 OF 2019

Prakash Shivram Pokale
versus
The State of Maharashtra

Applicant

Respondent

Mr.Shailesh D. Chavan with Prithviraj Chavan for applicant.
Mr.S.H.Yadav, APP, for State.
Mr.Sagar Shashikant Ashramkar, Mahad MIDC Police Station,
HC/1126 present.

CORAM : PRAKASH D. NAIK, J.

DATE : 5th November 2019

PC :

1. The applicant is apprehending arrest in connection with CR No.60 of 2019 registered with Mahad MIDC Police Station for offences under Sections 376(2)(F), 376(2)(N) and 506 of Indian Penal Code.

2. The FIR was lodged by the victim who is aged about 30 years on 30th September 2019. It is alleged that the victim is related to the applicant. Her marriage was solemnized in 2004. In 2006 when the victim had visited the house of applicant and had stayed overnight, the alleged incident had occurred. It was alleged that the victim was sexually assaulted by the applicant-accused on 20th March 2006. It is also alleged that even thereafter on 3-4 occasions she was sexually abused by the applicant. The applicant is allegedly harassing her.

3. On perusal of the FIR it is apparent that the alleged incident had occurred twelve years ago. At that time no complaint was lodged. Considering the factual aspects of the matter, custodial interrogation of the applicant is not necessary. The applicant can be directed to co-operate with the investigation by attending the police station.

4. Hence, I pass following order :

ORDER

- (i) Criminal Anticipatory Bail Application No.2392 of 2019 is allowed and disposed of;
- (ii) In the event of arrest of applicant in connection with CR No.60 of 2019 registered with Mahad MIDC Police Station, the applicant be released on bail 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 the Investigating Officer on 13th, 14th and 15th November 2019 between 10 am and 12 noon and thereafter as and when called for till filing of charge sheet;
- (iv) The applicant shall not tamper with the evidence and shall not approach the victim and other witnesses.

(PRAKASH D. NAIK, J.)

MST