

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
BAIL APPLICATION NO. 561 OF 2020

Prakash Balu AherkarApplicant

v/s.

The State of MaharashtraRespondent

Mr. Satyavrat Joshi, Advocate for the applicant.

Mr. S.S. Pednekar, APP for the State.

CORAM : SANDEEP K. SHINDE, J.

Tuesday, 17th March, 2020.

P.C. :

1. Applicant is seeking his enlargement on bail in connection with C.R. No.1251/2018 registered with Chakan Police Station, Pune for the offences punishable under Sections 363, 366, 376, 506 of the Indian Penal Code. The investigation in the case is over and chargesheet has been filed.

3. I have perused the final report. Also

perused the affidavit of the victim dated 25th December, 2019 sworn before the Registrar, Civil Court Senior Division, Pune. Also perused the FIR and history narrated to the Medical Officer.

4. Victim and the complainant are major. Both are married persons.

5. Material on record and particularly the Affidavit sworn by the victim shows, she voluntarily accompanied the applicant from one place to another and submitted to his sexual desires.

6. In view of the material on record and since investigation is over, in my view, further custody of the applicant is not required and his presence for the trial can be secured by imposing conditions. Hence, the following order :

ORDER

- i. The applicant arrested in C.R. No. No.1251/2018 registered with Chakan Police Station, Pune is directed to be

released on bail on furnishing P.R. Bond of Rs. 20,000/- (Rs. Twenty Thousand only) with one or two sureties in the like sum.

ii. The applicant shall attend the concerned Police Station as and when called.

iii. The applicant shall furnish the particulars of his place of residence and contact details to the Investigating Officer of the Police Station concerned within seven days from his release.

iv. The applicant shall not tamper with the evidence or attempt to influence or contact the complainant, witnesses or any person concerned with the case.

7. It is made clear that observations made hereinabove shall be construed as expression of opinion only for the purpose of granting bail and

the same shall not in any way influence the trial
in other proceedings.

(SANDEEP K. SHINDE, J.)