

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

ANTICIPATORY BAIL APPLICATION NO.1196 OF 2021

**VISHNU CHANDU GHANSAWANT
VERSUS
THE STATE OF MAHARASHTRA**

...
Advocate for Applicants : Mr. Rathi Swapnil S.
APP for Respondent – State : Mr. V. S. Badakh
...

CORAM : PRAKASH D. NAIK, J.

DATE : 26th OCTOBER, 2021

PER COURT :

1. The offence was registered vide Crime No.0096 of 2021 with Jintur Police Station, Dist. Parbhani, for the offences punishable under Sections 376(2)(n), 366 r/w 34 of the Indian Penal Code.

2. The FIR was registered on 16th April, 2021 by the victim aged about 22 years. The case of the prosecution is that the victim was having love affair with the co-accused, namely, Anil Ghansawant. On 26th August, 2020, they decided to elope. As agreed, the victim sat on the motorcycle of the applicant and both of them went to Pune. Thereafter, the accused No.1 – Anil Ghansawant joined her and she accompanied accused No.1 and both of them went to the residence of the uncle of the accused No.1. They stayed together for several months. There were physical

relations between them and subsequently it was noticed that the victim was pregnant. It is further alleged that the accused no. 1 did not perform marriage with the victim, as promised.

3. Assuming the allegations in the FIR to be true, it is apparent that the only role attributed to the applicant herein is that, as agreed between the parties the applicant took the victim on motorcycle to Pune. It was decided between the victim and the accused No.1 – Anil Ghansawant to elope on that day. In the circumstances, prima facie, no custodial interrogation of the applicant is necessary.

4. Learned APP submitted that the applicant had assisted the co-accused in the commission of crime.

5. However, considering the aforesaid facts, the interim protection granted by this Court will have to be confirmed. The applicant has reported the investigating officer in accordance with the interim order dated 12-10-2021.

ORDER

- (i) Anticipatory Bail Application No.1196 of 2021 is allowed.
- (ii) Interim order dated 12-10-2021 is confirmed.
- (iii) In the event of arrest of the applicant in Crime No.96 of 2021, registered with Jintur Police Station, District

Parbhani, he be released on bail on his executing P.R. bond in the sum of Rs.20,000/- with one or more sureties in the like amount.

- (iv) Applicant shall not tamper with the evidence and shall appear before investigating officer as and when called for.
- (v) The application is disposed of.

(PRAKASH D. NAIK, J.)