

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO.1020 OF 2021**

Ganesh Umaji Jadhav .. Applicant

Vs.

The State of Maharashtra & Anr. .. Respondents

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Mr. Rajaram V. Bansode for the Applicant.

Mr. A.R. Kapadnis, A.P.P. for the State.

Mr. Avinash B. Avhad for Respondent No.2.

...

CORAM : SMT. BHARATI DANGRE, J.

DATED : 03RD AUGUST, 2021.

P.C:-

1. By order dated 05/07/2021 recording a *prima facie* case in favour of the Applicant, protection was granted to the Applicant, particularly in the light of the fact that the victim girl in her statement recorded under Section 164 of the Cr.P.C. has denied any sexual assault on her and rather she has stated that she was forced to undergo the medical examination at the instance of the doctor.

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2. Learned counsel for the Applicant has placed on record an affidavit of service sworn on 01/07/2021 thereby enclosing a copy of notice issued to the Complainant on 30/06/2021 and the acknowledgment given by him by putting his signature on receipt of the notice. However, when the matter is called out, none represents the Complainant. The same was the case on the earlier date of hearing.

3. Learned A.P.P. makes a statement that in terms of order dated 05/07/2021, the Applicant has co-operated with the investigation by reporting to the Investigating Officer as directed by this court.

4. In view of the *prima facie* finding recorded in order dated 05/07/2021, the said order requires a confirmation and is accordingly confirmed subject to the stipulation that the Applicant shall further report to the concerned Police Station as and when called for by the Investigating Officer and will not, in any way, attempt to threaten the prosecutrix or her family.

5. The Application is disposed of.

[SMT. BHARATI DANGRE, J.]