

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

CRIMINAL BAIL APPLICATION NO.1590 OF 2020

Ravindra Shankar Kale Applicant
Versus
The State of Maharashtra Respondent

Mr. Mithilesh Chalke, Advocate i/b. Sandeep S. Salunkhe,
Advocate for the Applicant.

Mr. Ajay Patil, APP for the Respondent-State.

CORAM : SARANG V. KOTWAL, J.

DATE : 23rd FEBRUARY, 2021

P.C. :

1. The Applicant is seeking his release on bail in connection with C.R.No.214/2018 registered at Pandharpur Rural police station, District-Solapur under Sections 366, 376, 307, 323, 506 of the Indian Penal Code. The investigation is over and the charge-sheet is already filed.

2. Heard Shri Mithilesh Chalke, learned Counsel for the Applicant and Shri Ajay Patil, learned APP for the State.

3. The FIR is lodged on 6.12.2018 by the prosecutrix herself. She has stated that she and her husband had come to

Pandharpur to ask for money from her sister-in-law which she had taken as hand loan. She told the prosecutrix that the money would be returned after two days. Therefore, the prosecutrix stayed there and her husband went back to his village. On 2.12.2018 at about 10:00 p.m., the Applicant who was related to the prosecutrix's husband i.e. his step brother, came there. He forcibly took the prosecutrix with him at the point of knife and took her in an agricultural field. There he committed rape on her and left her at the S.T. stand on the next day evening. He also assaulted her. He forcibly made her consume poison. She lost her consciousness. When she regained her consciousness, she saw that she was being treated at hospital and her sister-in-law and her husband were there with her. After she was treated in the hospital till 5.12.2018, she lodged her FIR.

4. Learned Counsel for the Applicant submitted that the medical papers do not show that she had consumed any poison. He submitted that the Applicant is falsely implicated. The prosecutrix is not attending the Court for giving her statement under Section 164 of Cr.P.C. and, therefore, the offence is false.

5. Learned A.P.P. relied on the FIR and other documents in the charge-sheet to oppose this application.

6. I have considered these submissions. The prosecutrix's version is supported by her sister-in-law. She has seen the incident herself when the Applicant had taken away the prosecutrix forcibly at the point of knife. She has then seen the prosecutrix near the ST stand in an unconscious condition. She was informed about that by an unknown person telephonically. As she tried to contact the prosecutrix's mobile phone, some unknown person picked up the phone and informed about the prosecutrix's state. The sister-in-law went there and removed her to hospital and thereafter this FIR is lodged.

7. There is sufficient material against the present Applicant showing his involvement. The offence is serious. No case for grant of bail is made out. Hence, the Application is rejected.

(SARANG V. KOTWAL, J.)