

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

BAIL APPLICATION NO. 770 OF 2021

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Mr. Rohan Ramkrishna Dhekane Applicant

Vs.

The State of Maharashtra Respondent

Mr. Sudarshan Salunke i/by Mr. Dhananjay M. Shinde for Applicant.

Mr. A.R. Kapadnis, APP for State.

PSI, I.F. Sayyad, Kolsewadii Police Station.

Coram : NITIN W. SAMBRE, J.

Date : 6th OCTOBER, 2021

P.C.:

1. The applicant is seeking bail in Crime No.654 of 2020, registered at Kolsewadi Police Station, Kalyan (East), for the offence punishable under Sections 376(2) (N), 323, 504 of the Indian Penal Code.

2. Heard Mr. Salunke, learned counsel appearing for the applicant. According to him, the statement recorded under Section 164 Cr.P.C is at variance with the statement recorded under Section 161

Cr.P.C. According to him, though the victim, which is an educated working lady, had consciously taken decision to establish relation with the applicant.

3. He would further claim that the applicant is already subjected to custodial interrogation and that being so, having charge-sheeted, he is required to be released on bail.

4. Learned APP opposed the prayer.

5. The victim-girl in her statement recorded under Sections 164 and 161 Cr.P.C. has supported the case of the prosecution. The applicant, established physical contact with the victim and sexually assaulted her on a promise of marriage, which is not honoured.

6. The material depicts that the applicant is prima facie involved in the crime in question as there is strong material available against him. That being so, the application lacks merits, stands dismissed.

7. However, if charge is not framed in six months, liberty to approach afresh.

(NITIN W. SAMBRE, J.)