

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

ANTICIPATORY BAIL APPLICATION NO.562 OF 2021

Sh.Varun Hiremath

.. Applicant

Versus

State of Maharashtra and Anr.

.. Respondents

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Mr.Aabad Ponda, Senior Advocate i/b. Mr.Karma Vivan, Advocate
for the Applicant.

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

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CORAM : PRAKASH D. NAIK, J.

DATED : MARCH 01, 2021.

P.C. :

This is an application for transit anticipatory bail in connection with C.R.No.11 of 2021, registered with Chanakyapuri Police Station, New Delhi, for the offences punishable under Sections 376, 342 and 509 of Indian Penal Code (“IPC”, for short).

2 Learned advocate for the applicant submitted that with a view to enable the applicant to move appropriate Court in New Delhi, protection may be granted to the applicant for a limited period under Section 438 of Cr.P.C. It is submitted that the news item had appeared in daily newspaper reporting that according to police, applicant is yet to be arrested and is yet to

be arrested and his phone is switched off and raids are being conducted in Mumbai and Gujarat.

3 It is submitted that the applicant has good case on merits. The complaint is false.

4 Learned APP submitted that the offence is registered under Section 376 of IPC. The complaint is registered with concerned police station at Delhi. Considering the charge against the applicant and the fact that the concerned police station is not party, relief may not be granted to the applicant. Learned counsel for the applicant, however, relied upon the order passed by the Karnataka High Court, wherein transit anticipatory bail is granted in a case registered under Section 376 of IPC.

5 There is no dispute about powers to grant transit anticipatory bail. The applicant is charged under Section 376 of IPC. The applicant may approach appropriate Court. I am not inclined to grant such relief in this case. It is made clear that this Court has not adjudicated this application on merits. Anticipatory Bail Application No.562 of 2021, is rejected and stands disposed of accordingly.

(PRAKASH D. NAIK, J.)