

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

**ANTICIPATORY BAIL APPLICATION NO.665 OF 2021
WITH
INTERIM APPLICATION NO.947 OF 2021**

Micky Jain @ Mohit Ranka

.. Applicant

Versus

State of Maharashtra

.. Respondent

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Mr.R.V. Gupta a/w. Mr.Rahul Mishra i/b. Mr.D.R. Singh, Advocate
for the Applicant.

Ms.Anamika Malhotra, APP for the Respondent – State.

Mr.S.B. Khopekar, Advocate for the Applicant in IA 947 of 2021.

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CORAM : PRAKASH D. NAIK, J.

DATED : APRIL 21st, 2021.

P.C. :

This is an application for anticipatory bail in CR No.67 of 2021, registered with Oshiwara Police Station for offences under Sections 376, 376(2)(n), 328, 417, 406, 504, 506 Indian Penal Code. The FIR was lodged on 15th February 2021.

2 The complainant lady is aged about 25 years. It is alleged that in October-2020 while she was shooting she got acquainted with one Navneet Bhanushali. He told her that person named Micky Jain @ Mohit Ranka (applicant) is conducting

shooting of handbag product at Panvel. In November-2020 she got in contact with Navnit and Micky Jain. They became friends. Thereafter the applicant had visited her house on several occasions. There were whats app chats between them. The applicant had proposed her for marriage. On 20th November 2020 the applicant visited her house. He ordered Pizza and soft drink. After consuming the soft drink she felt dizziness. The accused subjected her to sexual intercourse. Thereafter in November-2020 the applicant told her that he is in trading business and told her that if she invests Rs.3.50 lakh in stock exchange, she would earn good returns. In December-2020 the applicant again promised her of marriage. He demanded Rs.40,000/- from her. The amount of Rs.2 lakh was transferred to the account of applicant. Subsequently she realized that the amount was transferred into account by applicant by using her cell phone and debit card. According to the complainant, loss of Rs.18.90 lakh was caused to her. She was subjected to physical relationship on promise of marriage.

3 Learned counsel for applicant relied upon whats app messages and submitted that allegations are false. The amount of Rs.3.45 lakh has been transferred into the account of applicant but there are transactions of amount from the account of

applicant into the account of complainant. Assuming the allegations to be true, the relationship is consensual in nature. The applicant is willing to co-operate in investigation.

4 Learned APP submitted that there is false marriage promise and misappropriation of amount. Learned advocate for intervenor reiterated the said submissions.

5 Interim protection was granted by this Court to the applicant on 11th March, 2021. Considering the factual matrix, custodial interrogation of applicant is not necessary.

6 Hence, I pass the following order :

:: ORDER ::

- (i) Anticipatory Bail Application No.665 of 2021, is allowed;
- (ii) Interim order dated 11th March, 2021, is confirmed;
- (iii) In the event of arrest of applicant in connection with CR No.67 of 2021 registered with Oshiwara Police Station, the applicant be released on bail on his executing PR bond in the sum of Rs.25,000/-, with one or more sureties in the like amount;

- (iv) Applicant shall attend investigating officer as and when called for by the investigating officer, till filing of charge - sheet;
- (v) Anticipatory Bail Application No.665 of 2021, stands disposed of accordingly;
- (vi) Interim Application No.947 of 2021, is disposed of.

(PRAKASH D. NAIK, J.)