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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO. 2686 OF 2021**

ALOK KUMAR BIND

....Applicant.

V/s

THE STATE OF MAHARASHTRA

.....Respondent

Ms. Heena Mistry for the Applicant.

Mrs. Rutuja Ambekar, APP for the Respondent/State.

CORAM: NITIN W. SAMBRE, J.

DATE: OCTOBER 28, 2021

P.C.:-

1] Applicant is seeking regular bail in C.R. No.22 of 2021 registered with Andheri Police Station, Mumbai for the offence punishable under Sections 354 and 376 of the Indian Penal Code.

2] Applicant is already chargesheeted after he was subjected to custodial interrogation. Apart from unexplained delay in lodging the FIR, it is noticed that story narrated by the victim appears to be improbable to be believed. The incident claimed to have occurred at 9.30 p.m. in a chawl where Applicant is claimed to be the occupant of a small room where he was operating production activity of paper plate. The said place is a part of the chawl which is surrounded by the people residing in the chawl. As such, complainant not narrating the said incident for almost about two months to any of the neighbours or people of her acquaintance prima faice raises doubt about story of the

prosecution. Applicant therefore deserves to be released on bail.

3] Applicant is directed to be released on bail in C.R. No.22 of 2021 registered with Andheri Police Station, Mumbai for the offence punishable under Sections 354 and 376 of the Indian Penal Code on executing P. R. Bond in the sum of Rs 15,000/- with one more sureties in the like amount. Applicant shall neither influence the witnesses in any manner nor tamper with the evidence. Applicant shall stay outside the jurisdiction of the concerned Police Station till conclusion of the trial. The Applicant shall furnish the particulars of his permanent place of abode and contact details to the Investigating Officer of the Police Station concerned within seven days from the date of his release.

4] Application is accordingly allowed and disposed of.

(NITIN W. SAMBRE, J.)