

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

ANTICIPATORY BAIL APPLICATION NO.914 OF 2020

Deepak Rangnath Tiwari	.. Applicant
<i>Versus</i>	
State of Maharashtra	.. Respondent

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Mr.Vinod S. Pandey i/b. S.U. Pandey, None for the Applicant.
Mrs.M.R. Tidke, APP for the Respondent - State.

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CORAM : PRAKASH D. NAIK, J.

DATED : MARCH 04, 2021.

P.C. :

This is an application for anticipatory bail in connection with C.R.No.196 of 2020 registered with Vakola police station, Mumbai, for the offences punishable under Sections 376, 376(2)(n) and 506 of Indian Penal Code ("IPC", for short) and Sections 6, 10 and 12 of Protection of Children from Sexual Offences Act ("POCSO Act", for short).

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2 First Information Report ("FIR", for short) was lodged by the victim aged about 17 years, on 16th June, 2020. It is alleged that the complainant was acquainted with the applicant. They started meeting. Somewhere in April 2019, the applicant had

visited the house of the complainant. The other family members were not in the house. The applicant established physical relationship with her. Subsequently, in June 2019 and December 2019, similar act were performed. Subsequently, it was noticed that the victim was pregnant. The FIR was lodged.

3 Learned counsel for the applicant submits that the pregnancy was terminated pursuant to the orders passed by division Bench of this Court. The messages which are exchanged between the complainant and applicant are annexed to this application. It is submitted that assuming that the allegations to be true, the relationship is of consensual nature. The applicant is willing to cooperate with the investigation.

5 Learned APP submitted that the applicant's presence is required at the police station. He should cooperate in conducting DNA test. Applicant is willing to cooperate with the investigation.

6 Considering the facts of this case as stated above, the applicant need not be subjected to custodial interrogation.

7 Hence, I pass the following order:

:: ORDER ::

- (i) Anticipatory Bail Application No.914 of 2020, is allowed;
- (ii) In the event of arrest of applicant in connection with C.R.No.196 of 2020 registered with Vakola police station, Mumbai, applicant be released on bail on executing P.R. Bond in the sum of Rs.25,000/-, with one or more sureties in the like amount;
- (iii) Applicant shall report investigating officer on 15th , 16th and 17th March, 2021 between 11:00 a.m. to 01:00 p.m., and he shall cooperate with the investigation;
- (iv) Applicant shall not tamper with the evidence;
- (v) Anticipatory Bail Application No.914 of 2020, stands disposed of.

(PRAKASH D. NAIK, J.)