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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO. 2593 OF 2021**

ARUN CHANDRAPAL CHOHAN	Applicant.
V/s	
THE STATE OF MAHARASHTRA	Respondent

Mr. Viresh V. Purwant for the Applicant.
Mrs. Rutuja Ambekar, APP for the Respondent/State.
Mr. Nitin Sejpal for the Intervener.

CORAM: NITIN W. SAMBRE, J.

DATE: OCTOBER 28, 2021

P.C.:-

- 1] Heard respective Counsel.
- 2] Applicant is seeking pre-arrest bail in C.R. No.I-290 of 2021 registered with Kalwa Police Station, Thane for the offence punishable under Sections 376, 417 of the Indian Penal Code.
- 2] The contents of the recital in the memorandum of agreement dated 4th June, 2019 produced at Exhibit-A at page 29 are not disputed by the complainant.
- 3] In the aforesaid background, if case of the Applicant is appreciated, complainant is in physical relation with the Applicant since 2007 as is reflected in the aforesaid document and girl child was

already born. As such, in my opinion, necessary ingredients of the offence as is alleged cannot be inferred which warrants custodial interrogation of the Applicant.

4] In the event of the arrest of the Applicant in C.R. No.I-290 of 2021 registered with Kalwa Police Station, Thane for the offence punishable under Sections 376, 417 of the Indian Penal Code, Applicant be released on bail on executing P.R. Bond in the sum of Rs 15,000/- with one or more sureties in the like amount. Applicant shall neither influence the witnesses in any manner nor tamper with the evidence. Applicant shall attend the Investigating Officer between 10.00 A.M. and 12.00 Noon and thereafter as and when directed by the Investigating Officer.

5] Application is accordingly allowed and disposed of.

(NITIN W. SAMBRE, J.)