

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

ANTICIPATORY BAIL APPLICATION NO. 2081 OF 2019

Dyaneshwar Vasudev Patil	..Applicant
V/s.	
The State of Maharashtra	..Respondent

None for the Applicant.
Ms. M. M. Deshmukh, APP for the Respondent / State.
API Mr. H. M. Kulkarni, Badlapur East Police Station present.

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**CORAM : C. V. BHADANG, J.
DATE : 7 AUGUST 2021**

P.C.

. None for the Applicant. However, looking to the statement made by the learned APP, this Application can be disposed of.

2. The Applicant apprehending arrest in connection with investigation of Crime No.I-123/2019 of Police Station Badlapur East under Section 376, 504, 506 of IPC r/w. Section 4 and 8 of the Protection of Children from Sexual Offences Act (POCSO Act), is seeking anticipatory bail.

3. A perusal of the complaint dated 24 August 2019 of the victim shows that the victim got acquainted with the Applicant on social media somewhere in the year 2013 when she was 14 years of age. She claimed that there was a love affair between the Applicant and herself and they were waiting for her to attain the age of 18 years. The incident is of June 2018 when she claims that Applicant had forcible sexual intercourse with her.

4. *Prima facie*, it appears that the victim was a little short of 18 years of age in June 2018 in as much as her date of birth is shown to be 6 December 2000. The record discloses that this Court had granted interim protection to the Applicant on 25 September 2019 interalia on the condition of attendance with the concerned Police Station.

5. Learned APP, on instructions from the Investigating Officer, states that the Applicant had accordingly co-operated with the Investigating Agency. She further states that the investigation is complete and the chargesheet is already filed. Learned APP points out there are specific instructions from the Investigating Officer API Kulkarni that the custody of the Applicant is not required in the matter.

6. In such circumstances, the Criminal Application is disposed of in terms of the order dated 25 September 2019 subject to the

condition that the Applicant shall not tamper with the prosecution evidence / witnesses. The Interim Application is also disposed of.

(C. V. BHADANG, J.)