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

ANTICIPATORY BAIL APPLICATION NO. 2513 OF 2019

Mr.Govind Bharat Patil

.... Applicant

Vs.

The State of Maharashtra

..... Respondent

Mr.Amit G.Dubey i/b Mr.Ashok M.Saraogi, for the Applicant.

Smt.Veera Shinde, APP for the Respondent – State.

Mr.Ranqrao P. Pawar - Assistant Police Inspector, Kalyan
Taluka.P.S. Thane Rural present.

CORAM : M. S.KARNIK, J.

DATE : 07th AUGUST, 2021

P.C. :

. The applicant prays for pre-arrest bail in respect of Crime No. 13/19 registered with the Kalyan Police Station for the offences punishable under Sections 376, 417 of the Indian Penal Code. By the interim order dated 19/11/2019, this Court has recorded that the complaint, prima facie, shows consensual relationship between the applicant and the complainant. The complainant is working with M/s.Wipro Company. She is a graduate. The complainant and the accused were residents of the same area and knew each other. It is alleged that the

accused made a show of marrying the complainant in a temple some time in February 2015, whereafter the complainant and accused were meeting each other regularly and had physical relations. The applicant kept on assuring the complainant that they would perform the marriage ceremony soon with the consent of the family members. The FIR is lodged on 10/01/2019. Prima facie, it appears that the complainant and the accused share a consensual relationship. The Investigating Officer is present. It is pointed out that the applicant co-operated with the investigation and now even the charge-sheet has been filed before the trial Court. As the investigation has been completed and charge-sheet has been filed, the custody of the applicant is not necessary and even the Investigating Officer does not seek his custody. In this view of the matter, the interim order passed by this Court deserves to be confirmed and the same is confirmed. Hence, the following order.

ORDER

- (i) In the event of arrest of the applicant in Crime No. 13 of 2019, he shall be released on bail on furnishing PR bond in the sum of Rs. 25,000/- with one or more sureties in the like amount.

- (ii) He shall report to the Investigating Officer as and

when called for.

(iii) The Applicant shall not tamper with the evidence or attempt to influence or contact the complainant, witnesses or any person concerned with the case.

(iv) The Applicant shall not in any manner establish contact and threaten the complainant.

2. The Application is disposed of.

(M.S.KARNIK, J.)