

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

BAIL APPLICATION NO.21 OF 2022

Kailas Vijay Singh @ Raj Purohit

Applicant

Versus

The State of Maharashtra

Respondent

Mr. R.G. Hange, Advocate for the applicant.

Mr. G.O. Wattamwar, APP for respondent/State.

CORAM : M.G. Sewlikar, J.

DATE : 11th FEBRUARY, 2022.

PER COURT :

1. Heard.

2. The allegations in the First Information Report are that the prosecutrix is a married woman. About six months prior to her marriage, she got acquainted with the applicant on social media i.e. Facebook. They started chatting on Facebook. Applicant used to see photographs uploaded by the prosecutrix on Facebook. Applicant started blackmailing the prosecutrix owing to which the prosecutrix had transferred Rs.10,000/- on 7th June, 2021, Rs.5,000/- on 16th June, 2021 and Rs. 48,000/- in this manner, she transferred

amount of Rs.63,000/-.

3. The narration in the First Information Report further shows that on 6th July, 2021, at 10.00 am, the father-in-law of the prosecutrix received on his handset indecent photographs and videos of the prosecutrix. He showed those photographs and videos to her. She explained to him that applicant was her friend prior to marriage and after marriage she has stopped talking with the applicant. Applicant had threatened her to make her photographs and videos viral if she did not talk with him. On these allegations, First Information Report came to be lodged against the applicant.

4. Shri Hange, learned counsel for the applicant, submits that maximum punishment for the offence under Section 354 of the Indian Penal Code is five years. The other offences in this crime are punishable with imprisonment for three years. Applicant is behind the bars since 1st August, 2021. He, therefore, seeks release of the applicant on bail.

5. Learned APP opposes the application.

6. Charge-sheet is filed. On perusal of the charge-sheet, it is seen that offence under Sections 354, 354D, 384 of the Indian Penal Code and Section 67, 67-A of the Information and Technology Act are registered against the applicant. Offence under Section 384 of the Indian Penal Code is punishable with three years of imprisonment. Offence under Section 354 of the Indian Penal Code is punishable with imprisonment for five years. Applicant is already behind the bars for more than seven months. Trial is not likely to be over in the near future owing to pandemic on account of Covid-19. Applicant has no criminal antecedents and there is no likelihood of his fleeing from justice. In this view of the matter, I am inclined to release the applicant on bail. Hence the following order :-

ORDER

- i) Application is allowed.
- ii) Applicant be released on PR Bond of Rs.15,000/- (Rs.Fifteen Thousand) with one solvent surety in the like amount in connection with Crime No. 122/2021 registered with Peth Beed Police Station, Dist. Beed, for the offences punishable under Sections 354, 354-D, 384, 506, 507 read with Section 34 of the Indian Penal Code and Sections 67, 67-A of the Information and Technology Act, on

condition that he shall not tamper the prosecution evidence.

iii) Application is disposed of.

(M. G. SEWLIKAR)
Judge

dyb