

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

BAIL APPLICATION NO.680 OF 2022

Jagdish Namdeo Khedkar

..Applicant

Vs.

The State of Maharashtra

..Respondent

Mr.A.R.Syed, Advocate for applicant
Mr.V.S.Badakh, APP for respondent

**CORAM : R.G. AVACHAT, J.
DATE : JULY 19, 2022**

ORDER :-

This is an application under Section 439 of the Code of Criminal Procedure. The applicant has been arrested in connection with Crime No.0064 of 2022 registered with Shahada Police Station, Dist.Nandurbar.

2. Heard learned counsel appearing for the parties.
3. Learned APP would urge for rejection of the application considering the nature of the offence.
4. Perused the FIR. It has been lodged by a lady of 22 years of age. She alleged the applicant to have committed sexual intercourse

against her wish and without her consent. The FIR lodged on 21.01.2022 is in relation to the incident that took place in April, 2021. As such, there is delay of about eight months in lodging of the FIR. Since the informant is a married woman and mother of two children, medical evidence, *prima facie*, may not support the prosecution.

5. In view of there being a long delay in registration of the of the FIR, I am inclined to grant the applicant bail. Hence, the following order:-

- (i) The application is allowed.
- (ii) The applicant be released in connection with Crime No.0064 of 2022 registered with Shahada Police Station, Dist.Nandurbar, on executing P.R. Bond in the sum of Rs.15,000/- (Rupees Fifteen Thousand) with one surety in the like amount.
- (iii) The applicant shall not tamper with the prosecution evidence in any manner.

[R.G. AVACHAT, J.]