

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

ANTICIPATORY BAIL APPLICATION NO.623 OF 2022

MOIN MAJEED QURESHI  
VERSUS  
THE STATE OF MAHARASHTRA

...  
Advocate for Applicant : Mr. Amol Ratan Gaikwad  
APP for Respondent / State : Ms. V. S. Choudahri  
Advocate for Respondent No.2 /victim : Mr. H. V. Tungar  
...

**CORAM : S. G. MEHARE, J.**

**DATE : 24-06-2022**

**PER COURT :-**

Heard the learned counsel for the applicant, the learned A.P.P. for the respondent/State and Mr. Tungar, the learned counsel for respondent no. 2 / victim.

2. After having gone through the first information report (FIR), it reveals that there was a great possibility of consensual sex. When her learnt about her talk with someone, then the complainant started complaining against the applicant. The FIR itself is sufficient to take a view that it was consensual sex hidden from the husband of the complainant. Till her husband caught her talking with accused, she never complained. Circumstances do not favour the prosecution to refuse the anticipatory bail.

3. Hence, the application is allowed. The interim protection granted to the applicant is confirmed on the same condition.

**( S. G. MEHARE )**  
**JUDGE**

rrd