

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

BAIL APPLICATION NO.1212 OF 2022

Abhijeet Ramesh Shinde

..Applicant

Vs.

The State of Maharashtra

..Respondent

Mr.M.B.Kolpe, Advocate for applicant
Mr.N.T.Bhagat, APP for respondent

**CORAM : R.G. AVACHAT, J.
DATE : AUGUST 18, 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.0201 of 2022 registered with Anand Nagar Police Station, Osmanabad.

2. Heard learned counsel appearing for the parties.

3. The informant, a married woman, was living with the applicant in live-in relationship. She had her living husband. The applicant herein had promised to marry her after her first marriage would be dissolved. With such a promise, he continued to have physical relationship with her. Thereafter, the first marriage of the

informant was dissolved by a decree of divorce. The informant insisted the applicant to marry her. He, however, started avoiding. When the informant was about to live the applicant for her parental house for no return, the applicant assaulted and raped her. She, therefore, lodged the FIR.

4. Perused the First Information Report (FIR) and the related papers.

5. The averments in the FIR indicate it to be a consensual relationship. The applicant is alleged to have sexually exploited the informant with a false promise of marriage. Admittedly, the informant has living husband, though there is marital discord and both of them are residing separately. Without making further observations about merits of the matter, suffice it to say that it is a case of grant of bail.

6. Hence, the following order:-

(i) The application is allowed.

(ii) The applicant be released in connection with Crime No.0201 of 2022 registered with Anand Nagar Police Station,

Osmanabad, 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.]

KBP