

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

927 ANTICIPATORY BAIL APPLICATION NO.1245 OF 2022
WITH APPLN/3239/2022 IN ABA/1245/2022

MAHESH VASANT ADMANE
VERSUS
THE STATE OF MAHARASHTRA

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Advocate for Applicant : Mr. D. S. Ingole h/f Mr. Ghanekar
Nilesh S.

APP for Respondent-State : Mr. K. S. Patil.

Advocate for Complainant to assist APP : Mr. A. S. Gandhi.

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CORAM : S. G. MEHARE, J.
DATE : 28.09.2022

PER COURT :-

1. Heard the learned counsel for the applicant, learned APP for the respondent-State and learned counsel for the complainant.

2. The facts of the case have been discussed in detail in the order dated 15.09.2022. The reason behind the dispute is the extra marital relation of the applicant with another girl. The marriage is five years old. For the first time, the wife has alleged that the applicant-husband demanded for unnatural sex.

3. Learned counsel Mr. Gandhi appearing for the complainant has vehemently argued that since beginning, the applicant was asking her for unnatural sex. He has produced some photographs to show that applicant has a girl friend. He has also argued that the applicant has tried to join the company of the applicant through Woman Cell, but that effort has also been failed.

4. Considering the facts of the case and material placed before the Court, the prosecution appears to have no case for custodial interrogation of the applicant. Hence, the following order :

ORDER

- (i) The application is allowed.
- (ii) The interim protection granted to the applicant by the order dated 15.09.2022 stands confirmed on the same terms and conditions.
- (iii) Criminal Application No.3239 of 2022 is allowed.

(S. G. MEHARE, J.)

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