

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

CRIMINAL BAIL APPLICATION NO. 1496 OF 2020

Naresh Ramchandra Chogale

..Applicant

V/s.

The State of Maharashtra

..Respondent

Mr. Bakul B. Bhosale, for the Applicant.

Ms. M. R. Tidke, APP for the Respondent/State.

CORAM : C.V. BHADANG, J.

DATE : 21 MARCH 2022

P.C.

. By this Application, the Applicant is seeking release on bail in Crime No.103/2020 of Police Station Dapoli, District Ratnagiri, under Section 376 and 506 of IPC. The aforesaid crime is registered on the basis of the complaint lodged by victim, who at the relevant time, was aged about 21 years and a married lady with a child.

2. I have heard the learned counsel for the parties. Perused record.

3. A perusal of the FIR shows that there were disputes between the informant / victim and her husband. The allegation is that the Applicant on the promise of marrying the victim, had forcible sexually intercourse with her between 20 May 2020 to 25 May 2020 in the rented premises of Janardhan Chogale. According to the informant, the Applicant had agreed to marry her and had also agreed that he will take care of the child of the informant. However, subsequently, the Applicant has refused to do so.

4. The FIR in this case is lodged after a period of more than three months i.e. on 4 September 2020. The Applicant is arrested on 20 May 2020 and is in custody since then. The investigation is complete and the chargesheet is filed.

5. Considering the nature of allegations and the fact that the investigation is complete and the chargesheet is filed, I do not find any justification to detain the Applicant behind bar, pending trial.

6. In the result, the following order is passed.

ORDER

- (i) The Criminal Bail Application is allowed.
- (ii) The Applicant Naresh Ramchandra Chogle, be released on bail in Crime No.103/2020

of Police Station Dapoli, District Ratnagiri, on executing a P.R. Bond in the sum of Rs.25,000/- with one or two solvent sureties in the like amount.

(iii) The Applicant shall undertake to remain present before the learned Sessions Judge during the course of trial, unless exempted.

(iv) The Applicant shall not directly or indirectly make any attempt to contact the informant or any other prosecution witnesses and shall not otherwise tamper with the prosecution evidence / witnesses.

(v) Bail bonds to be furnished before the learned Sessions Judge.

(C.V. BHADANG, J.)