

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

CRI. ANTICIPATORY BAIL APPLICATION NO. 29 OF 2022

Ashish Shailesh Sakpal

..Applicant

Vs.

The State of Maharashtra

..Respondent

Mr. R. D. Suryawanshi, for the Applicant.

Mr. S. R. Agarkar, APP for the Respondent / State.

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**CORAM : C.V. BHADANG, J.
DATE : 17 JANUARY 2022
(Through Video Conferencing)**

P.C.

. By this Application, the Applicant apprehending arrest in connection with investigation of Crime No.337/2021 of Police Station Wanavdi, Pune under Section 420, 376, 354-D, 313, 201 of IPC and Section 66(E), 67 of Information Technology Act, is seeking anticipatory bail.

2. I have heard the learned counsel for the Applicant and the learned APP.

3. I have gone through the FIR. *Prima facie*, it appears that the victim girl was aged about 25 years on the date of the incident and the allegation is that she was subjected to forcible sexual intercourse by the Applicant on promise of marriage. The Applicant is married. It further appears that the victim got pregnant on account of sexual relations and the Applicant was insisting for abortion.

4. *Prima facie*, it appears that the victim is a major girl who has attained age of consent and there were multiple instances when there were sexual relations between the Applicant and the victim which may *prima facie* indicate consensual relationship.

5. Learned APP submitted that the Applicant be directed to attend the Investigating Officer and to co-operate with the Investigating Agency.

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

ORDER

1. In the event of his arrest in connection with investigation of Crime No.337/2021 of Police Station Wanavdi, Pune, the Applicant be released on bail on executing a P.R. Bond in the sum of Rs.25,000/- with one or two solvent sureties in the like amount.

2. The Applicant shall attend the Investigating Officer on 24/1/2022 and 25/1/2022 between 11.00 a.m. to 1.00 p.m. and as and when directed by the Investigating Officer.

3. The Applicant shall co-operate with the Investigating Agency and shall not directly or indirectly make any attempt to contact, threaten or influence the victim or any other prosecution witnesses.

4. In the event of breach of any condition, the bail is liable to be cancelled.

5. The Criminal Application is disposed of, in the aforesaid terms.

C.V. BHADANG, J.