

BAIL APPLICATION NO. 616 OF 2022

Mallikarjun Basavraj Koli ..Applicant
vs.
State of Maharashtra . ..Respondent

Ms. Mayuri D. Hatle, for applicant.
Ms. P.N. Dabholkar, APP for respondent-State.

CORAM : M. S. KARNIK, J.

DATE : NOVEMBER 25, 2022

P.C. :

- 1.** Heard learned counsel for the applicant.
- 2.** This is an application for bail in connection with C.R. No. I-0091 of 2021 registered with Vishnu Nagar Police Station for the offence punishable under sections 376, 406, 417, 420 of the Indian Penal Code, 1860 ("IPC", for short).
- 3.** The First Information Report was filed by the complainant on 10/05/2021. The applicant was arrested on 11/05/2021. The complainant is 35 years of age. It is her case that after the death of her husband, sometime in February 2020, the applicant under the pretext of helping

the complainant's son, tried to establish contact with her. The complainant was not interested. The applicant told the informant that he has lost his wife and has a daughter. Later on, it is alleged that the complainant from time to time paid to the applicant Rs. 11,52,000/- who needed money on one pretext or the other. The complainant and applicant had physical relations during this period. When the complainant asked for return of money i.e. Rs. 11,52,000/-, the applicant avoided to repay money saying that he will marry the complainant. It appears that the complainant and applicant were in consensual relationship.

4. The applicant is in custody since 11/05/2021, almost for 1 year and 6 months. The charge-sheet has already been filed. Further that there is no possibility of trial commencing soon. The custody of the applicant does not need to be continued. No criminal antecedents are reported against him. Hence, the following order.

ORDER

(a) The application is allowed.

(b) The applicant – Mallikarjun Basavraj Koli in connection with C.R.No. I-0091 of 2021 registered with Vishnu Nagar Police Station shall be released on bail on furnishing P.R.bond in the sum of Rs.25,000/- with one or two sureties in the like amount.

(c) The applicant shall not directly or indirectly make any inducement, threat or promise to any person acquainted with facts of case so as to dissuade him from disclosing the facts to Court or any Police Officer. The applicant should not tamper with evidence.

(d) On being released on bail, the applicant shall furnish his contact number and residential address to the Investigating Officer of the concerned Police Station and shall keep him updated, if there is any change.

(e) The applicant shall attend the concerned Police Station once once in a month on every Monday of the first week between 11.00 a.m. and 1.00 p.m.

(f) The applicant shall not establish contact with the complainant.

5. The application is disposed of.

(M. S. KARNIK, J.)