

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO.1360 OF 2022

Shrinivas s/o. Baburao Ghadge ...Applicant
V/s.
The State of Maharashtra & anr. ...Respondents.

Mr. Anand Dhorde i/b Mr. Nitin Gaware Patil for the Applicant.
Mr. Amit Palkar, APP for the Respondent/State.
Mr. Vivekanand S. Tadake for the Respondent No.2.

CORAM : N.R. BORKAR, J.
DATE : 07.12.2022.

P.C. :

1. This is an application under Section 438 of Code of Criminal Procedure (Cr.P.C.) for anticipatory bail.
2. The applicant is apprehending his arrest in Crime No.321 of 2022 registered at Shirur police station, Pune Rural for the offences punishable under Sections 376(2)(h), 376(2)(j), 376(2)(k), 504 and 506 of the Indian Penal Code (IPC) and Section 3 read with 25 of Arms Act.
3. The allegations against the present applicant are of rape. However, the prosecutrix in her statement recorded under Section 164 of the Cr.P.C. has not stated so. On the contrary, the prosecutrix has stated that she lodged the report due to some misunderstanding.

4. The learned APP, on instructions, submits that the State is proposing to file C-Summary. Considering these facts and circumstances, I am inclined to release the applicant on anticipatory bail. In the result the following order is passed.

ORDER

A) The Anticipatory Bail Application is allowed.

B) In the event of arrest of the applicant in C.R. No.321 of 2022 registered at Shirur police station, Pune Rural for the offences punishable under Sections 376(2)(h), 376(2)(j), 376(2)(k), 504 and 506 of the IPC and Section 3 read with 25 of Arms Act, he be released on bail on executing P.R. Bond in the sum of Rs.15,000/- with one surety in the like amount.

[N.R.BORKAR, J.]