

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO.1629 OF 2022

Prabhat Kumar Pandey ... Applicant
Vs.
State of Maharashtra and another ... Respondents

Mr. Ritesh Thobde for Applicant.
Mr. A. A. Palkar, APP for Respondent No.1-State.

CORAM : NITIN W. SAMBRE, J.
DATE : SEPTEMBER 21, 2022

P.C. :

Heard.

2. The applicant is seeking pre-arrest bail in Crime No.316 of 2022 registered with Faujdar Chawadi Police Station, Solapur City for the offence punishable under Sections 354, 354-A and 354-B of the Indian Penal Code.

3. Case of the prosecution is, the modesty of the victim was outraged by the applicant in the intervening night of 17.04.2022 and 18.04.2022.

4. Having appreciated the rival submissions what can be noticed is, there is unexplained delay of more than one month in lodging the FIR.

5. Apart from above, applicant's wife was very much present at the time of the incident and as such, the victim could have raised her voice at the very said moment. Also, the victim has not narrated the said incident to her maternal aunt or her cousin with whom she was in regular touch.

6. As such, the case of false implication cannot be ruled out.

7. In view thereof, in the event of arrest of the applicant in Crime No.316 of 2022 registered with Faujdar Chawadi Police Station, Solapur City for the offence punishable under Sections 354, 354-A and 354-B of the IPC, he be released on bail on executing P.R. Bond in the sum of Rs.15,000/- with one or two sureties in the like amount. Applicant shall attend the Investigating Officer from 25th to 29th September, 2022 between 10:00 a.m. and 12 noon and thereafter as and when directed by the Investigating Officer. The said applicant shall not directly or indirectly try to influence the prosecution witnesses and tamper with the evidence.

8. Application is disposed of.

(NITIN W. SAMBRE, J.)

Minal Parab