

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

BAIL APPLICATION NO. 2048 OF 2022

Ansari Habibur Rehman Usman Gani	Applicant.
V/s	
State of Maharashtra	 Respondent.

Mr. N.R. Bubna for the Applicant.
Ms. Geeta P. Mulekar, APP for the Respondent-State.
PSI S.K. Patil, L.C.B. Nashik Rural, present.

CORAM: NITIN W. SAMBRE, J.

DATE: SEPTEMBER 29, 2022

P.C.:-

1] Applicant is seeking regular bail in C.R. No. I – 62/2022 registered with City Police Station, Malegaon for the offence punishable under Sections 376, 376(2)(n), 377, 354-B and 406 of the Indian Penal Code.

2] I have perused the contents in the FIR. Considering the investigation carried out, theory put forth in FIR is not reposing confidence. Rather evidence is, call details reflect that the complainant herself called the Applicant on number of times. As such, false implication of the Applicant who was already subjected to custodial interrogation and charge-sheeted cannot be ruled out. Applicant as such is entitled to be released on bail.

3] Applicant is directed to be released on bail in C.R. No. I – 62/2022 registered with City Police Station, Malegaon for the offence punishable under Sections 376, 376(2)(n), 377, 354-B and 406 of the Indian Penal Code on execution of P.R. Bond of Rs 25,000/- with one more more sureties in the like amount. Applicant shall neither influence the witnesses nor tamper with the evidence. Applicant shall attend the trial regularly.

4] Application is accordingly disposed of.

(NITIN W. SAMBRE, J.)

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