

rajshree

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO.2918 OF 2022

Abhishek Bhila Rokade	]	..	Applicant
vs.			
State of Maharashtra & Anr.	]	..	Respondents

Mr.H.P. Randhir, for the applicant.
Smt.Rutuja Ambekar, APP for the State.

CORAM : BHARATI DANGRE, J

DATE : 14th NOVEMBER, 2022.

P.C.

1] The learned APP, as directed by earlier order dated 19.10.2022, states that the complainant was already married, having 8 year old daughter from her wed-lock.

2] The learned APP has placed on record statement of the prosecutrix recorded on 10.11.2022, where, she has specifically stated that she was married to one person in the year 2011, but since he was lazy and there were financial difficulties in their marital relationship, they decided to reside separately.

Perusal of her statement would reveal that the prosecutrix continued to stay with the Applicant in a shared household and she conceived out of the said relationship and she terminated her pregnancy at the instance of the Applicant.

Perusal of the statement of the Applicant would clearly reveal that, prima-facie, the relationship between them appears to be consensual as the prosecutrix is aged 29 years and a married woman having a minor daughter.

3] In the wake of above custodial interrogation of the applicant is not necessary. Suffice to state that the Applicant shall continue to render his co-operation to the Investigating Officer.

Hence, the following order :

ORDER

- (a) Application is allowed.
- (b) In the event of arrest in connection with C.R.No.1272/2021 registered with Malvani Police Station, the applicant Abhishek Bhila Rokade, shall be released on bail on furnishing P.R. bond to the extent of Rs.25,000/- with one or two sureties of the like amount.
- (c) The applicant shall report to the Investigating Officer on Thursday and Friday for a period of two weeks from today between 3.00 p.m. to 5.00 p.m. and thereafter as and when called for.
- (d) 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 and should not tamper with evidence.

[BHARATI DANGRE, J]