

PMB

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

ANTICIPATORY BAIL APPLICATION NO.3191 OF 2022

PRADNYA
MAKARAND
BHOGALE

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BHOGALE
Date: 2022.12.01
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NARAYAN VISHNU MASURKAR @
VIJAY MASURKAR

..APPLICANT

VS.

THE STATE OF MAHARASHTRA

..RESPONDENT

Mr. Jitendra S. Mishra for applicant.
Ms. A. A. Takalkar, APP for State.
Mr. Vinod Patil, PI, Andheri Police Station.

CORAM : M. S. KARNIK, J.

DATE : DECEMBER 1, 2022.

P.C. :

- 1.** Heard learned counsel for the applicant and learned APP.
- 2.** This is an application for pre-arrest bail in respect of an offence punishable under Sections 376(2)(n), 354, 504, 506, 509 of the Indian Penal Code, 1860 in connection with C.R. No.757 of 2022 registered with Andheri Police Station.
- 3.** The FIR was lodged at the instance of the prosecutrix on 15/07/2022. It is alleged by the prosecutrix that in the month of November 2021, the applicant who is known to her asked her if she wants a job. The applicant-accused was also working in the same office. It is alleged that in the

month of December, 2021, the victim started going to office. At that time only the informant and applicant were in the office. It is contended that initially for one month everything was going smoothly. After one month, the applicant started making advances towards her. Then the complainant told the applicant that she is leaving the job, but the applicant threatened her that he will finish her husband's business and also threatened to kill her husband and daughter. He verbally abused the complainant. Thereafter, under threat, the accused had physical relations with the complainant. The said incident of forcible physical relations is alleged to have taken place some time in January, 2022. It is alleged that thereafter also, he had physical relations with the complainant on some occasions.

4. My attention is invited to the materials on record, whats-app chats, even post lodging of the FIR. From the record, it appears that the parties were in a consensual relationship. The FIR is filed on 15/07/2022. The custodial interrogation of the applicant in any case is not necessary in the present facts. Hence, the following order :

: ORDER :

(i) In the event of arrest in connection with C.R. No.757 of 2022 registered with Andheri Police Station, applicant-Narayan Vishnu Masurkar @ Vijay Masurkar 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.

(ii) The applicant to report to the concerned police station as and when called for.

(iii) The applicant to co-operate with the Investigating Officer.

(iv) 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.

5. Anticipatory Bail Application is disposed of.

(M. S. KARNIK, J.)