

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR**

Anticipatory Bail Application No. 63 of 2022

Prakash Yashwantrao Ingle

Versus

State of Maharashtra, through Police Station Officer, Morshi, Dist.
Amravati

Office Notes, Office Memoranda of
Coram, appearances, Court's Orders
or directions and Registrar's order

Court's or Judge's Order

Shri Anubhav A. Mardikar, Advocate for the applicant.
Shri M.J.Khan, APP for the non-applicant.

**CORAM : ANIL S. KILOR, J.
DATED : 7th MARCH, 2022.**

On the allegation of the complainant that the applicant had outraged her modesty, a crime no. 807 of 2021 came to be registered with Morshi Police Station for the offence punishable under Sections 452, 354, 504 of Indian Penal Code. The applicant is seeking pre-arrest bail in the said crime by way of present application.

2. Shri Mardikar, learned counsel for the applicant submits that to falsely implicate the applicant, the First Information Report was lodged by the

complainant. It is submitted that no such incident had taken place and even the story narrated by the complainant is not probable. He lastly submits that this Court had granted ad-interim protection to the applicant vide order dated 31st January, 2022 and as per one of the conditions of the ad-interim bail, the applicant had attended the police station on every Monday, Wednesday and Friday between 10.00 am to 12 noon and he has not misused the liberty.

3. On the other hand, Shri Khan, learned Additional Public Prosecutor strongly opposed the application and has drawn attention to the statement of the independent witness who has seen the applicant coming out of the hut of the complainant and fleeing away. It is submitted that in view of the statement of the independent witness sufficient *prima facie* incriminating material available against the applicant.

4. Shri Khan, learned Additional Public Prosecutor further submits that some deterrence is necessary in such serious offence and this Court may not consider to grant of pre-arrest bail.

5. On perusal of the case diary and after going through the statement of witness recorded by the Investigating Officer during the investigation, I am of

the opinion that *prima facie* sufficient incriminating material is available on record to show the involvement of the applicant, I am not inclined to allow this application.

6. Accordingly, the application is rejected.

[ANIL S. KILOR, J.]

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