

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

BAIL APPLICATION NO.66 OF 2023

**SUKHADEV RAJ BIHARILAL
VERSUS
THE STATE OF MAHARASHTRA**

...
Advocate for Applicant : Mr. Jadhav Satej S
APP for Respondent/State : Mr. K.S. Patil
...

CORAM : S.G. MEHARE, J.

DATED : JANUARY 17, 2023

PER COURT:-

1. Heard learned counsel for the applicant and learned APP for the State.
2. It appears that the prosecutrix and the applicant had acquaintance. She visited the place of the applicant prior to the alleged incident. The applicant has a case that the prosecutrix was demanding him Rs.5 lacs; hence, there was a scuffle and in that scuffle, she sustained the injuries. He never did forceful sex with her. Subsequent to the alleged incident, the prosecutrix and his so-called brother were giving message to the family to pay her money to settle the dispute. It is also alleged that the applicant and the prosecutrix met in a railway journey and have exchanged their phone numbers. That goes to show that there were some relationship between them. Both are major.

(2)

3. In view of the allegations and the circumstances as well as the material progress in the investigation, it would be improper to keep the applicant behind the bar. Hence, the following order :

ORDER

(i) Bail Application is allowed.

(ii) The applicant, Sukhadev Raj Biharilal, be released on bail on executing P.B. and S.B. of Rs.50,000/- (Rupees fifty thousand) with one solvent surety in the like amount in connection with Crime No.213 of 2022, registered at Varangaon Police Station, District Jalgaon for the offence punishable under Section 376, 323, 506 of the Indian Penal Code, on the conditions that ;

(a) The applicant shall not tamper with the prosecution witnesses.

(b) The applicant shall not contact the victim on phone or any other manner.

(S.G. MEHARE, J.)