

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

928 BAIL APPLICATION NO.166 OF 2023

AJAY NAVNATH KAMBLE
VERSUS
THE STATE OF MAHARASHTRA

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Advocate for Applicant : Mr. Kore Ganesh J.
APP for Respondent-State : Mr. S. P. Sonpawale.
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CORAM : S. G. MEHARE, J.
DATE : 14.02.2023

PER COURT :-

1. Heard the learned counsel for the applicant and the learned APP for the respondent-State.
2. The applicant is a 20 years old boy and the victim is 32 years old married woman. The reasons for forceful sex appears not genuine and it does not inspire the confidence that under the garb of a threat to make a video clip with her husband viral, the applicant has committed rape. It appears from the record that suddenly the husband of the applicant returned home. That time, the applicant was present there. The applicant has a case that on the day of incident, the prosecutrix has made ten calls and two SMS to him and she was calling him. She had extra marital relation with him. Considering the

facts of the case, it would be inappropriate to keep the applicant behind bar. Hence, the following order :

ORDER

- (i) Bail Application is allowed.
- (ii) Applicant **AJAY NAVNATH KAMBLE** be released on bail on furnishing P.B. and S.B. of Rs.50,000/- (Rupees Fifty Thousand only) with one solvent surety of the like amount, in Crime No.273 of 2022, registered by Police Station Yermala, District Osmanabad, for the offences punishable under Sections 376(2)(f), 506 of the IPC, on the condition not to tamper with the prosecution witnesses.

(S. G. MEHARE, J.)

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vmk/-