

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

BAIL APPLICATION NO.430 OF 2023

**SAYYED BADSHAHA SAYYED MAHEBOOB
VERSUS
THE STATE OF MAHARASHTRA**

...
Advocate for Applicant : Mr. Yogesh K. Bobade
APP for Respondent : Mr. K. S. Patil
...

CORAM : S. G. MEHARE, J.

DATE : 17.03.2023

PER COURT :

1. Heard the learned counsel for the applicant and the learned A.PP for the respondent/State.
2. The applicant is elder brother-in-law of the victim. She alleged against him that the applicant firstly took her video where she was bathing and then did forceful sex with her. She told the incident to the family members but family members did not believe her. Serious allegations have been levelled against the applicant that one day he brought his friend and asked her to have sex with him. However, there was inordinate delay in lodging the F.I.R. The victim, applicant and their family members were residing under one room.

2. The learned counsel for the applicant would argue that there was a family dispute about separation, is the possibility.

3. Considering the entire facts and circumstances of the case as well as the material investigation in the crime, no purpose would be served by keeping the applicant behind bar. Hence, the following order :-

ORDER

- (i) The application is allowed.
- (ii) Applicant Sayyed Badshaha Sayyed Maheboob 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 C.R.No.59 of 2023 registered with Georai Police Station, Taluka Georai, District Beed, for the offences punishable under Sections 376(2)(n), 323 and 506 of the Indian Penal Code, on the conditions that,
 - (a) He shall not to threat the victim or any other witnesses.
 - (b) He shall not contact the victim in any mode or manner till conclusion of trial.

**(S. G. MEHARE)
JUDGE**