

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

BAIL APPLICATION NO.456 OF 2023
WITH APPLN/1314/2023 IN BA/456/2023

VISHAL VILAS CHAVAN
VERSUS
THE STATE OF MAHARASHTRA

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Advocate for Applicant : Mr. S. S. Renge
APP for Respondent: Mr. K. S. Patil
Advocate for the complainant/victim : Mr. S.G.Kawade

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CORAM : S. G. MEHARE, J.

DATE : 03.04.2023

PER COURT :

1. Heard the learned counsel for the applicant, learned A.P.P. for the respondent/State and learned counsel for the complainant.

2. The applicant has a case that the complainant used to trap the males, then black-mail them and extract money under the false allegation of committing forceful sex. The applicant is also the victim. He was also trapped. She had consensual relation with him. She extracted money from him and one fine morning started demanding more money, when he denied she lodged the false report. The victim is indulged in similar activities and also lodged the report against another person

making similar allegations. She compromised with him and extracted huge amount. It was her *modus operandi*. It was his consensual relationship. Hence he may be granted bail.

3. The learned A.P.P and counsel for the complainant opposed the application. The counsel for the victim would submit that considering the case of the applicant it reveals that the applicant is defaming her in the society. Her marital life has been spoiled due to defamation since he was knowing her since prior to her marriage. The applicant also defamed her family. The offence is serious. The complainant/victim has expressed danger at the hands of the applicant as he is a rich man. He may tamper with prosecution witnesses. He does not deserve bail.

4. The papers and documents placed on record reveal that the applicant and the victim were in relationship and knowing well to each other since prior to her marriage. The similar offence was registered at her instance against another person. Photographs placed on record show the intimacy and affair. The applicant is languishing in jail since long. The charge sheet has been filed. In the facts and circumstances of the case, it would not be appropriate to keep him behind bar. However, to guard the apprehension of the victim, certain conditions may be

imposed. Hence, the following order :-

ORDER

- (i) The application is allowed.
- (ii) The applicant Vishal Vilas Chavan 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. 233 of 2022 registered with Washi Police Station Taluka Washi, District Osmanabad for the offences punishable under Sections 376 and 506, of Indian Penal Code on the following conditions :
 - (a) The applicant shall not contact the victim or any of the witnesses till the conclusion of the trial.
 - (b) He shall stay away from his village Pakhrud, Tauka Bhoom, Dist. Osmanabad for three months from the date of his release.
 - (c) He shall not enter Bhoom, except for attending the trial for the said period.
 - (d) Criminal Application No. 1314 of 2023 stands disposed of.

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

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