



PMB

944.BA.1931-23.doc

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

BAIL APPLICATION NO.1931 OF 2023

NARENDRA RAVINDRA PAWAR ..APPLICANT
VS.
THE STATE OF MAHARASHTRA ..RESPONDENT

Adv. Vikas Kolekar a/w Adv. Sanchit Chavan for the
applicant.

Ms. Rutuja Ambekar, APP for the State.

CORAM : M. S. KARNIK, J.

DATE : NOVEMBER 4, 2023.

P.C. :

1. Heard learned counsel for the applicant and learned
APP for the State.

2. This is an application for bail in respect of the offence
punishable under Sections 376(2)(N) and 506 of the Indian
Penal Code, 1860 (hereafter 'IPC' for short) registered on
13.04.2022 vide C.R. No.118 of 2022 with Khed Police
Station.

3. The FIR was lodged on 13.04.2022. It is the case of
the prosecutrix that when she had been to her uncle's place
sometime in March 2021 (the prosecutrix states that she
does not remember the exact date), the applicant came

inside the house and committed forcible sexual intercourse with her against her wish. Thereafter again in the first week of April 2021 the applicant forced himself on her against her wish near the trees situated close to the well. The next incident is of May 2021 when the applicant had forcible sexual intercourse with the prosecutrix. On 21.02.2022 the prosecutrix delivered a child when she revealed that it is the applicant who had forced himself on her against her wish. Prima facie from the accusations it appears that the relations between the applicant and the victim are consensual in nature.

4. Learned counsel for the applicant on instructions states that the applicant shall not reside within the jurisdiction of Khed Police Station till the trial concludes if enlarged on bail.

5. The applicant was arrested on 25.4.2022 and is now in custody for more than one year and six months. The trial is likely to take a long time to conclude. There are no criminal antecedents reported against the applicant. The applicant will face the consequences of the trial. In the facts and

circumstances of this case, the applicant can be enlarged on bail. Hence, the following order :-

ORDER

- (a) The application is allowed.
- (b) The applicant-Narendra Ravindra Pawar in connection with C.R. No.118 of 2022 registered with Khed Police Station shall be released on bail on his furnishing P.R. Bond of Rs.25,000/- with one or more sureties in the like amount.
- (c) The applicant shall attend the Investigating Officer of Khed Police Station once in a month every first Monday of the month between 11.00 a.m. and 1.00 p.m.
- (d) The applicant shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing the facts to Court or any Police Officer. The applicant shall not tamper with evidence.
- (e) On being released on bail, the applicant shall furnish his contact number and residential address to the Investigating Officer and shall keep him updated, in case there is any change.

(f) Except for attending the trial and for the purpose of reporting to the Investigating Officer, the applicant shall not enter the jurisdiction of Khed Police Station after being released on bail, till the trial concludes.

(g) The applicant shall attend the trial regularly. The applicant shall co-operate with the trial Court and shall not seek unnecessary adjournments.

(h) The applicant shall not threaten the victim or family members. If it is noticed that the applicant is threatening the victim or witnesses, the consequences of cancellation of this bail shall follow.

6. The application is disposed of.

(M. S. KARNIK, J.)