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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO.181 OF 2023**

Mohammad Gaus Ali

...Applicant

vs.

State of Maharashtra

...Respondent

Mr. Ritesh Thobde with Mr. Sagar Tambe for the Applicant.

Mrs. M. R. Tidke APP for the Respondent-State.

Mr. Sanjay Sahare, PSI, Manpada police station present.

CORAM : S. M. MODAK, J.

DATED : 16TH MARCH 2023

P. C. :

1. Heard learned Advocate for the Applicant and learned APP for the Respondent-State.

2. This Court as per order dated 20th January 2023, was pleased to grant interim protection. There was a direction to report to the Investigating Officer on 13th February and 14th March 2023. The Applicant has reported to the Investigating Officer.

3. I have read the averments in the FIR. The first informant and the Applicant were in contact for long period from 27th February 2019 to 13th December 2020. The first informant came in contact with the Applicant because the first informant was in need of employment. On the basis of information uploaded on linkedin website and naukri.com they came in contact with each other. It has resulted into love affair and as per the FIR both of them cohabited together at various places including Iraq also. The first informant was pregnant and she has

terminated the pregnancy on 11th March 2020.

4. Learned APP submitted that the Applicant has put pressure on the first informant to terminate pregnancy, however, at that time the Applicant was in Iraq and he gave consent through email.

5. Considering the above facts, it seems that sexual intercourse was consensual. Considering the above facts, the interim protection needs to be confirmed. No specific reason is assigned for custodial interrogation. Hence, the following order is passed :

ORDER

- (a) Interim protection granted on 20th January 2023, is confirmed.
- (b) The Applicant to attend Manpada police station on 1st and 3rd Thursday of every month from 10 am to 12 noon until filing of the charge-sheet.
- (c) The Applicant shall not threaten the prosecution witnesses or allure them in any manner
- (d) Needless to say, violating of the condition above will make the Applicant liable for cancellation of anticipatory bail.

6. Application is disposed of accordingly.

7. These are my prima facie observations and the trial Court may not be influenced by that.

8. All the parties to act on an authenticated copy of this order.

[S. M. MODAK, J.]