

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

**ANTICIPATORY BAIL APPLICATION NO.210 OF 2023
WITH
INTERIM APPLICATION NO.377 OF 2023
IN
ANTICIPATORY BAIL APPLICATION NO.210 OF 2023**

Rakhi Anant Sawant ...Applicant

Versus

The State of Maharashtra ...Respondent

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Mr. Sunil Mishra i/b. Mr. Sanjay Mishra for the Applicant.

Mr. S.V. Gavand, APP for Respondent -State.

Mr. Jaydev Trivedi with Ms Bhupali Vaze for the Intervenor.

Mr. Vishal Patil, PI, Amboli Police Station, present.

CORAM: SMT. ANUJA PRABHUDESSAI, J.

DATED : 17th APRIL, 2023.

P. C. :-

1. This is an application filed by the aforesaid Applicant apprehending his arrest in C.R. No.883 of 2022 registered with Amboli Police Station, Mumbai for the offences punishable under Sections 354(A), 500, 504, 509 r/w 34 of the IPC and Section 67(A) of Information and Technology Act, 2008.

2. Heard Mr. Trivedi, learned counsel for the Applicant, Mr. Sunil Mishra, learned counsel for the Intervenor and Mr. S.V. Gavand,

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learned APP for the Respondent -State. I have perused the records and considered the submissions advanced by the learned counsel for the respective parties.

3. The facts narrated in the FIR prima facie reveals that the Applicant herein had called for a press conference and had shown videos to the media person and had made derogatory, vulgar and sexually explicit remarks against the Complainant and thereby tried to malign her image and reputation. On 24/03/2023 this Court had given directions to the learned APP to take necessary steps to delete the video from You Tube and other social media.

4. Learned APP states that the video has been deleted. Learned APP further submits that the Applicant has reported to the Investigating Officer and she has been interrogated. Learned APP further states the Applicant has handed over the mobile phone and the same has been seized.

5. In such circumstances, presence of the Applicant is not required for the purpose of custodial interrogation. Hence, the application is allowed on the following terms and conditions:-

- (i) In the event of arrest of the Applicant in C.R. No.883 of 2022 registered with Amboli Police Station, Mumbai, the Applicant shall be released on bail on furnishing PR bonds in the sum of Rs.25,000/- with one or two sureties to the like amount;
- (ii) The Applicant shall report to the concerned Investigating Officer as and when required by the Investigating Officer;
- (iii) The Applicant shall not tamper with the prosecution evidence and or influence the witnesses in any manner.
- (iv) The Applicant shall keep the Investigating Officer informed of his current address and mobile contact numbers, and /or change of residence or mobile details, if any, from time to time.

6. The Anticipatory Bail Application as well as the Interim Application stands disposed of.

(SMT. ANUJA PRABHUDESSAI, J.)