

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**  
**CRIMINAL APPELLATE JURISDICTION**  
**ANTICIPATORY BAIL APPLICATION NO. 476 OF 2023**

Vishal Dilip Paithane ... Applicant

Versus

The State of Maharashtra and another ... Respondents

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Mr. Narayan Rokade alongwith Mr. Udaysing Deshmukh for the Applicant.

Mr. Amit Palkar, APP for the State.

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**CORAM : N.R. BORKAR, J.**

**DATED : 16 FEBRUARY 2023**

**P.C. :-**

. This is an application filed under Section 438 of the Code of Criminal Procedure, 1973 for anticipatory bail.

2. The applicant is apprehending his arrest in Crime No. 41 of 2023 registered at Wakad Police Station, for the offences punishable under Sections 376, 376(2)(n) of Indian Penal Code.

3. I have heard the learned Counsel for the applicant, the learned APP for the State and perused the First Information Report lodged by the prosecutrix.

4. It appears that prosecutrix and the present applicant were working in the same Company and the prosecutrix had love affair with the applicant.

5. According to the prosecutrix, in July 2021 and thereafter on several occasions, the present applicant committed forcible sexual intercourse with her on the false pretext that he would be marrying her.

6. It appears that the prosecutrix, after realizing that the applicant would not marry her, on 12 May 2022 had solemnized marriage with one Sumit Kshirsagar. The report came to be lodged only after the said Sumit Kshirsagar refused to co-habit with her after he had learnt about her relationship with the present applicant.

7. Considering the overall facts and circumstances, I am inclined to grant anticipatory bail to the present applicant. In the result, the following order is passed :

(i) Application is allowed.

(ii) In the event of arrest of the applicant - Vishal Dilip Paithane in Crime No. 41 of 2023 registered at Wakad Police Station, for the offences punishable under Sections 376, 376(2)(n) of Indian Penal Code, he shall be released on bail on furnishing P.R. Bond in the sum of Rs.25,000/- with one or more sureties in the like amount.

(iii) The applicant shall attend the concerned police station as and when called by the Investigating Officer and shall co-operate in the investigation.

**( N.R. BORKAR, J. )**