

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

ANTICIPATORY BAIL APPLICATION NO. 809 OF 2023

Amol Gangadhar Kamble	...Applicant
vs.	
The State of Maharashtra	...Respondent

Mr. Sachin R. Pawar a/w Adv. Aivrat Gholap a/w Shailesh Holkar-
Advocate for the Applicant
Mrs. M. R. Tidke - APP for the Respondent-State
PSI Dattatray Kumar Londhe – Noupada Police Station Thane City.

CORAM : S. M. MODAK, J.

DATE : 17th MARCH, 2023

P. C. :-

1. Heard Shri Sachin R. Pawar, learned Advocate for the Applicant and Mrs. M. R. Tidke, learned APP for the Respondent-State.

2. The victim aged about 42 years has lodged the complaint with Noupada Police Station, Thane against the Applicant alleging that he had sexual intercourse with her under the pretext of marriage. Even he cohabited with the first informant in her house.

He came into contact with the first informant as a driver of the ambulance, it was on account of carrying mother of the first informant to the hospital. That is why he has developed intimacy with the first informant and it had gone to the extent of having intercourse.

3. Even the Applicant is successful in persuading the first informant to part away an amount of Rs. 3,75,000/-. According to the first informant the Applicant says that it is only Rs. 50,000/-. If the allegations are perused, it is clear cut case of the consensual intercourse. So anticipatory bail can be granted. However matter can be looked from another angle also. There are allegations that the Applicant has also misbehaved with other ladies. However when asked learned APP, after taking instruction, she could not substantiate that allegations. If there could have been such victims question was different. Furthermore, the first informant is asked by the police to give details as to when Rs. 3,75,000/- was paid to the Applicant and in what manner, she has not submitted those details till now. Furthermore, the amount advanced to the Applicant is also in dispute. It is better not to go in that controversy. Case for

anticipatory bail is made out. Hence following Order :-

ORDER

- (i) In case of arrest in connection with C.R. No. 54 of 2023 registered with Naupada Police Station for the offence punishable under Sections 376, 417, 506 of the Indian Penal Code, the Applicant be released on furnishing Personal Bond and Surety Bond in sum of Rs. 25,000/-.
- (ii) Applicant is directed to give attendance to the Naupada Police Station, Thane on first and third Friday from 10.00 a.m. to 12.00 noon till filing of the charge-sheet.
- (iii) Applicant shall not threaten the prosecution witnesses.

[S. M. MODAK, J.]