

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
BAIL APPLICATION NO. 956 OF 2023
WITH
INTERIM APPLICATION NO. 1700 OF 2023

Aniruddha Satish Sheth ...Applicant
V/s.
The State of Maharashtra and Anr. ...Respondents

Ms. Saili N. Dhuru i/b Mr. Tanaji S. for the Applicant.
Ms. Veera Shinde, APP for the Respondent/State.
Mr. Aashish Satpute a/w Amit Icham a/w Piyush Toshnival for the Respondent No. 2.

CORAM : N.R. BORKAR, J.
DATE : 04.05.2023

P.C. :

1. Learned counsel for the applicant seeks leave to correct the name of the applicant in cause title of the application. Leave as sought is granted. Necessary amendment shall be carried out forthwith.
2. This is an application under Section 439 of Code of Criminal Procedure for bail.
3. The applicant came to be arrested in Crime No.I-554 of 2022 of registered at Yerwada Police Station, District Pune, for the offences punishable under Sections 376, 376(2)(n), 377, 328, 504 and 506 of the Indian Penal Code (IPC).
4. I have heard the learned counsel for the applicant, the learned APP for the respondent – State and learned counsel for the respondent No.2.

5. The prosecutrix was working in the office of the applicant who is a Chartered Accountant. The allegations against the applicant are of rape.

6. The parties have filed consent terms. The prosecutrix, who is present in the Court, states that she has no objection, if the applicant is released on bail. Even otherwise there is a delay in lodging the First Information Report. *Prima facie*, the alleged physical relationship appears to be consensual. Considering overall facts and circumstances of the case, I am inclined to release the applicant on bail. In the result, the following order is passed.

ORDER

A] Bail Application is allowed.

B] The applicant be released on bail in C.R. No. I-554 of 2022 of registered at Yerwada Police Station, District Pune, for the offences punishable under Sections 376, 376(2)(n), 377, 328, 504 and 506 of the IPC, on furnishing P.R Bond in the sum of Rs.25,000/- (Rupees Twenty Five Thousand) with one or two sureties in the like amount.

7. The Interim Application does not survive and the same is disposed of.

[N.R.BORKAR, J.]