

Shiv

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

CRIMINAL APPLICATION NO.69 OF 2023

ABC	...Applicant
vs.	
State of Maharashtra & Anr.	...Respondents

Mr. Paras D. Yadav for the Applicant.
Mr. H. J. Dedhia APP for the Respondent-State.
Mr. Prathamesh Naik i/b Ganesh Bhujbal for Respondent No.2.

CORAM : S. M. MODAK, J.

DATED : 20TH JUNE 2023

P. C. :

1. Heard learned Advocate for the Applicant, learned APP for the Respondent-State and learned Advocate for Respondent No.2.
2. The Court of Extra Joint Additional Sessions Judge, Karad by the order dated 9th January 2023, was pleased to grant anticipatory bail to the present Applicant. It is granted in respect of C.R. No.137 of 2022, registered with Malharpeth City police station for the offence punishable under sections 376(2)(n) of the IPC.
3. The sum and substance of the allegation in the FIR is that from 13th February 2022 upto 26th October 2022, Respondent No.2-

accused had sexual intercourse on various occasions with the first informant and it is on pretext of giving promise to marry.

4. I have read the order of granting anticipatory bail to the Applicant. The Court has categorically observed it is case of consensual sex and that there is no need for custodial interrogation of the Applicant. Now, the charge-sheet is filed. I do not find that there is any reason to interfere with discretion exercised by the Court of Additional Sessions Judge, Karad. No case is made out that the materials have been wrongly considered by the trial Court.

5. In view of above, there is no merit in the Application and it is dismissed.

[S. M. MODAK, J.]