

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

ANTICIPATORY BAIL APPLICATION NO.1410 OF 2023

Ishwar Prakash Lavand Applicant
Versus
The State of Maharashtra Respondent

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Mr.Manas Gawankar, Advocate for Applicant.

Mr.P.N. Dabholkar, APP for Respondent – State.

WAPI Smita Suravase, Khadakpada Police Station, Kalyan, District – Thane, present.

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**CORAM : RAJESH S. PATIL, J.
VACATION COURT**

DATED : MAY 10, 2023

P.C. :

1 This is an Anticipatory Bail Application filed by Applicant in connection with C.R.No.163 of 2023, registered with Khadakpada Police Station, Kalyan, District-Thane, for the offence punishable under Section 376, 376(2)(n) and 406 of the Indian Penal Code (“IPC”, for short). It is the case of the Applicant that a false FIR (“FIR”, for short) has been lodged against him. It is case of the Applicant that in the complaint it has been stated that the complainant met applicant through Facebook and became a good friend and thereafter developed a relationship. However, afterwards certain allegations are made against Applicant. It is also alleged that Applicant had borrowed sum of Rs.1,00,000/- (Rs.One Lakh only) from the complainant on different occasions. It is also stated that a

false promise to marry was made by Applicant and later the Applicant backed out and did not wish to marry the complainant.

2 The complainant had approached the police and had lodged FIR on 17th April 2023.

3 Hence, Applicant filed an Application, i.e., Criminal Anticipatory Bail Application No.625 of 2023 before the Additional Sessions Judge, Kalyan. The said Anticipatory Bail Application was rejected on 2nd May 2023 by the Additional Sessions Judge, Kalyan.

4 Ms.Dabholkar, APP states that looking into the allegations made in the FIR, Applicant may be, release on bail by imposing certain conditions on him.

5 I am satisfied that a *prima facie* case is made out to grant pre arrest bail to Applicant since his custody for interrogation is not necessary as of now.

6 In view of the above, present Anticipatory Bail Application is allowed on the following terms and conditions:

:: ORDER ::

- (i) In the event of arrest of the Applicant in connection C.R.No.163 of 2023, registered with Khadakpada Police Station, Kalyan, District-Thane, under Section 376, 376(2)(n) and 406 of the IPC, he be released on bail on

furnishing P.R. Bond in the sum of Rs.15,000/-
(Rs.Fifteen Thousand only) with one or two sureties in
the like amount;

(ii) Applicant shall appear before the investigating officer
on 15th May 2023 (Monday) and 16th May 2023
(Tuesday) between 11:00 a.m. to 01:00 p.m., for the
purpose of interrogation;

(iii) Applicant shall inform the investigating officer his
current residential address and mobile contact number
and/or change of residence or mobile number details, if
any, from time to time;

(iv) Applicant shall not contact the complainant and other
witnesses or tamper with the evidence, in any manner;

(iv) Anticipatory Bail Application is disposed of in above
terms.

(RAJESH S. PATIL, J.)