



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

BAIL APPLICATION NO. 1621 OF 2023

SANJAY KUMAR YADAV

..APPLICANT

VS.

THE STATE OF MAHARASHTRA

..RESPONDENT

Adv. Ajeet Manwani for the Applicant.

Ms. Veera Shinde, APP for the State.

PI Jyoti Hibare, Santacruz Police Station.

CORAM : M. S. KARNIK, J.

DATE : AUGUST 29, 2023.

P.C. :

1. Heard learned counsel for the applicant and learned APP for the State.

2. This is an application for bail in respect of the offence punishable under Sections 376(1), 354(c) and 506 of the Indian Penal Code and under Section 67 of the Information Technology Act, 2000, registered vide C.R. No.246 of 2023 dated 10/03/2023, with Santacruz Police Station.

3. The applicant was arrested on 10/03/2023. The applicant and the prosecutrix are related to each other. I have gone through the accusations in the First Information

Report (FIR). *Prima facie*, the relations appear to be consensual in nature. The investigation is complete and the chargesheet is filed. The prosecutrix is present in the Court today. The Investigating Officer has identified the prosecutrix. Learned APP, on instructions of the prosecutrix, submits that the prosecutrix does not want to pursue the matter against the applicant. However, I am concerned with the present application for bail to which also the prosecutrix has no objection to the applicant's release on bail.

4. Considering the facts and circumstances of the present case, the applicant can be enlarged on bail. There are no criminal antecedents reported against the applicant. The applicant does not appear to be a flight risk. Hence, the following order :-

ORDER

(a) The application is allowed.

(b) The applicant- Sanjay Kumar Yadav in connection with C.R. No. 246 of 2023 registered with Santacruz Police Station shall be released on bail on his furnishing

P.R. Bond of Rs.25,000/- with one or more sureties in the like amount.

(c) The applicant is permitted to furnish provisional cash bail security in the sum of Rs.25,000/-, for a period of six weeks, in lieu of surety.

(d) The applicant shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing the facts to Court or any Police Officer. The applicant shall not tamper with evidence.

(e) On being released on bail, the applicant shall furnish his contact number and residential address to the Investigating Officer and shall keep him updated, in case there is any change.

5. The application is disposed of.

(M. S. KARNIK, J.)