



PMB

21.ba.2166-23.doc

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

BAIL APPLICATION NO.2166 OF 2023

SIDDHESH SUNIL KAMTEKAR

..APPLICANT

VS.

THE STATE OF MAHARASHTRA AND ANR. ..RESPONDENTS

Adv. Gunjan Thakkar i/b. Adv. Prashant Gavai for the
applicant.

Ms. Rutuja Ambekar, APP for the State.

CORAM : M. S. KARNIK, J.

DATE : NOVEMBER 4, 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(2)(N), 377 and 506 of the
Indian Penal Code (hereafter 'IPC' for short) registered on
09.10.2022 vide C.R. No.430 of 2022 with Koperkhairane
Police Station.

3. The applicant was arrested on 22.10.2022. The
accusation of the prosecutrix is that the applicant on the
false pretext of marriage induced the prosecutrix into
forcible sexual physical relationship. The applicant had

promised the marriage but his parents were against such a relationship. The applicant was arrested on 22.10.2022 and is now in custody for more than one year. Prima facie the relationship between the applicant and the prosecutrix appears to be consensual in nature. The applicant will face the consequences of the trial if found guilty. The investigation is complete and the charge-sheet has been filed. There are no criminal antecedents reported against the applicant. Hence, the following order :-

ORDER

- (a) The application is allowed.
- (b) The applicant-Siddhesh Sunil Kamtekar in connection with C.R. No.430 of 2022 registered with Koperkhairane 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 cash bail surety in the sum of Rs.25,000/- for a period of 6 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.

(f) Except for attending the trial and for the purpose of reporting to the Investigating Officer, the applicant shall not enter the area of Koperkhairane Police Station after being released on bail, till the trial concludes.

(g) The applicant shall attend the trial regularly. The applicant shall co-operate with the trial Court and shall not seek unnecessary adjournments.

4. The application is disposed of.

(M. S. KARNIK, J.)