



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

BAIL APPLICATION NO.2372 OF 2023

RAMESH SATYANARYAN YADAV

..APPLICANT

VS.

THE STATE OF MAHARASHTRA

..RESPONDENT

Adv. Anjali Patil for the applicant.

Ms. Veera Shinde, APP for the State.

Adv. Bhavesh C. Sawant for the informant.

API Rachana Gurule, Wagle Estate Police Station, Thane City.

CORAM : M. S. KARNIK, J.

DATE : SEPTEMBER 7, 2023.

P.C. :

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

2. This is an application for bail in respect of the offence punishable under Sections 376(2)(N), 366, 313, 315, 354-A, 323, 504 read with 34 of the Indian Penal Code (hereafter 'IPC' for short) registered on 26/3/2023 vide C.R. No.57/2023 with Wagle Estate Police Station, Thane.

3. The applicant is the uncle of the husband of the victim. The victim is 20 years of age who married accused no.5 sometime in November 2021. Post marriage she was staying

with accused no.5. Thereafter, accused no.5 started doubting that she has love affair with one Shravan and therefore, started beating her.

4. So far as present applicant is concerned, it is the accusation that the present applicant asked for sexual favours from the victim four to five days post 8/2/2023. The victim had suffered an abortion. There is a dispute between the accused no.5 and the victim. The applicant is the uncle of the accused no.5. The relations between the victim and her husband are strained. The possibility of a false implication cannot be ruled out in the present facts.

5. Learned counsel for the victim submitted that the victim has no objection if the applicant is released on bail. The complaint according to him was filed due to some misunderstanding against the present applicant.

6. Learned APP opposed the application.

7. The applicant was arrested on 26/3/2023. Looking at the nature of the accusations against the applicant and the fact that the prosecutrix has no objection for enlarging the applicant on bail, the applicant can be enlarged on bail.

8. The applicant is in custody from five months with no possibility of the trial concluding any time soon. The investigation is complete. The charge-sheet has been filed. There are no criminal antecedents reported against the applicant. In my opinion, the applicant does not appear to be a flight risk. Hence, the following order :-

ORDER

(a) The application is allowed.

(b) The applicant- Ramesh Satyanaryan Yadav in connection with C.R. No.57/2023 with Wagle Estate Police Station, Thane, 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 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.

(d) 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.

- (e) The applicant shall attend the trial regularly.
 - (f) The applicant shall not threaten or influence the victim or establish any contact with her;
- 9.** The application is disposed of.

(M. S. KARNIK, J.)