



Urmila Ingale

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

BAIL APPLICATION NO.2643 OF 2023

RAJESH KONDIBA KHANDARE
VS.
THE STATE OF MAHARASHTRA

..APPLICANT
..RESPONDENT

Mr. Dilip Shinde a/w Mr.Mohan Kumbhar and Mr. Sharshwardhan Kavande, for the Applicant.

Ms. Rutuja Ambekar, APP for the State.

PSI- Mr. Ranjit Walake, Narpoli police station, Bhiwandi present.

CORAM : M. S. KARNIK, J.

DATE : OCTOBER 12, 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 & 506 of the Indian Penal Code registered on 06/09/2022 vide C.R. No.503 of 2022 with Narpoli Police Station, Thane City.

3. The FIR is lodged on 06/09/2022. I have gone through the statement of the victim. The prosecutrix and the applicant are known to each other as their children are studying in the same school. Without elaborating any further, suffice it to observe that prima facie,

possibility of relationship between the parties being consensual in nature can not be ruled out. The applicant was arrested on 06/09/2022. The applicant is in custody for more than 1 year. The trial is likely to take some time to conclude. There are no criminal antecedents reported against the applicant. The investigation is complete. The charge-sheet has been filed. The applicant is not a flight risk. Hence, the following order :-

ORDER

- (a) The application is allowed.
- (b) The applicant-Rajesh Kondiba Khandare in connection with C.R. No. 503 of 2022 registered with Narpoli Police Station shall be released on bail on his furnishing PR. 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) 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.)