

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

ANTICIPATORY BAIL APPLICATION NO.2908 OF 2021

Mr. Sonu Raina ..Applicant
VS.
The State of Maharashtra ..Respondent

Mr. Prathamesh Sharma i/b Mr. Prathamesh Gaikwad, for the
Applicant.
Ms. P. N. Dabholkar, APP for the State.
API-Mr. Kate, Nayanagar Police Station present.

CORAM : M. S. KARNIK, J.

DATE : JANUARY 25, 2023

P.C. :

1. Heard learned counsel for the applicant and learned APP.
2. This is an application for pre-arrest bail. The applicant is apprehending arrest in connection with C.R.No. 640 of 2021 dated 23/11/2021 registered with Naya Nagar Police Station for offence punishable under sections 376 (AB) & 506 of the Indian Penal Code, 1860 and sections 8 & 12 of Protection of Children from Sexual Offences Act, 2012.

3. The complainant registered FIR on 23/11/2021 for an incident that allegedly took place on 11/11/2021. The applicant is a doctor by profession. It is alleged that the applicant committed an offence which is punishable under the aforesaid sections in respect of complainant's daughter who is 8 years of age. Prima facie, it appears that the applicant and the complainant were in relationship. My attention is invited to the complaint dated 05/09/2020 made by the applicant against the complainant under sections 307, 323, 504, 506(II) of IPC. In the said complaint, the applicant had alleged that after he realised it is not safe to continue friendship with the complainant, he started keeping distance from her. The applicant alleged that the complainant abused the applicant and even assaulted him with knife. There is also a notice dated 04/08/2021 issued on behalf of the applicant through his advocate to the Senior Inspector of Police, Mira Road Police station pointing out that the applicant is in danger because of the complainant. There are cross cases filed by the applicant and complainant against each other. I am

informed that the applicant has co-operated with the investigation. Even charge-sheet has been filed. The prosecution does not want his custody. Considering the overall facts and circumstances of the present case, the application deserves to be allowed. Hence, the following order.

ORDER

- (a) The application is allowed.
- (b) In the event of arrest of the applicant in connection with C.R. No. 640 of 2021 dated 23/11/2021 registered with Naya Nagar Police Station, the applicant-Sonu Raina be released on bail on his furnishing P.R. Bond in the sum of Rs.15,000/- 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 facts of case so as to dissuade him from disclosing the facts to Court or any Police Officer and should not tamper with evidence;
- (d) The applicant shall attend the investigating officer as and when called for.

4. The anticipatory bail application is disposed of.

(M. S. KARNIK, J.)