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

BAIL APPLICATION NO.3278 OF 2023

RAHUL NAGNATH PAWAR ..APPLICANT
VS.
THE STATE OF MAHARASHTRA ..RESPONDENT

**WITH
INTERIM APPLICATION NO.4477 OF 2023
IN
BAIL APPLICATION NO.3278 OF 2023**

HIRAL DESAI ..APPLICANT
VS.
THE STATE OF MAHARASHTRA ..RESPONDENT

Adv. Jyotsna Kamble for the applicant.
Ms. Rutuja Ambekar, APP for the State.

CORAM : M. S. KARNIK, J.

DATE : DECEMBER 14, 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, 420, 504, 506, 34 of the Indian Penal Code (hereafter 'IPC' for short) registered on 23.11.2022 vide C.R. No.305 of 2022 with Turbhe Police Station.

3. The FIR was lodged on 23.11.2022. The applicant was arrested on 24.11.2022. Yesterday the learned counsel for the intervener was present to oppose the application. The matter is listed today. With the assistance of learned counsel for the applicant and learned APP I have perused the relevant documents. Prima facie reading of the FIR would reveal that the relations between the applicant and the prosecutrix are consensual in nature. They were in a relationship since the year 2019. There were also financial transactions between the applicant and the victim. The prosecutrix claims that the consensual relations was an outcome of false promise of marriage.

4. The applicant is in custody since 24.11.2022 for a period of more than one year. There are no criminal antecedents reported against the applicant. The applicant does not appear to be a flight risk. The trial is not likely to conclude soon. The applicant can be enlarged on bail. Hence, the following order :-

ORDER

(a) The application is allowed.

(b) The applicant-Rahul Nagnath Pawar in connection with C.R. No.305 of 2022 registered with Turbhe 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 attend the Investigating Officer of Turbhe Police Station as and when called.

(e) 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.

(f) 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.

(g) The applicant shall not enter the area of Girgaon where the victim is residing or any other area where the victim is working till conclusion of the trial.

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

5. The application is disposed of.
6. Interim application is also disposed of.

(M. S. KARNIK, J.)