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

BAIL APPLICATION NO.3348 OF 2023

RAJIRAM VISHNU BHOYE

..APPLICANT

VS.

THE STATE OF MAHARASHTRA

..RESPONDENT

Adv. Kuldeep Patil i/b. Adv. Saili N. Dhuru for the Applicant.

Ms. Rutuja Ambekar, APP for the State.

CORAM : M. S. KARNIK, J.

DATE : NOVEMBER 29, 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, 452, 504, 506 of the Indian Penal Code (hereafter 'IPC' for short) registered on 18.11.2022 vide C.R. No.267 of 2022 with Manor Police Station, District Palghar.

3. I have perused the statement of the prosecutrix at page 17, the statement of the husband of the prosecutrix at page 53 and the statement of the prosecutrix recorded under Section 164 of the Code of Criminal Procedure at page 58 of the paper book.

4. Learned counsel for the applicant submitted that there is a delay in registering the FIR. It is further submitted that the relations between the applicant and the prosecutrix are consensual in nature.

5. Learned APP opposed the application for bail and submitted that the statement of the prosecutrix clearly reveals that the applicant forced himself on the prosecutrix.

6. *Prima facie* the possibility of relationship being consensual in nature cannot be ruled out. The applicant was arrested on 18.11.2022 and is now in custody for more than one year. The trial is likely to take a long time to conclude. The applicant can be enlarged on bail by imposing conditions. There are no criminal antecedents reported against the applicant. Hence, the following order :-

ORDER

(a) The application is allowed.

(b) The applicant-Rajiram Vishnu Bhoje in connection with C.R. No.267 of 2022 registered with Manor Police Station, District Palghar 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 Manor Police Station, District Palghar once in a month every first Monday of the month between 11.00 a.m. and 1.00 p.m.

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

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

(i) The applicant shall not to contact, threaten or influence the prosecutrix.

7. The application is disposed of.

(M. S. KARNIK, J.)