

Tanaji Sudhakar Suryavanshi	...	Applicant
Versus		
State of Maharashtra	...	Respondent

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Mr. Shailesh Kharat for the Applicant in ABA-3395-2022.
Mr. P.H. Gaikwad Patil, APP for the State.
Ms. Pooja Agarwal alongwith Mr. Suyash Khose and Mr. Prakash Chavan
for the Intervenor/Applicant in IA-4585-2022.
PI Goraksh Ghodake, Chandannagar Police Station, present alongwith PC
Arjun Budwant.

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CORAM: N.R. BORKAR, J.

DATED : 24 JANUARY 2023

P.C. :-

This is an application filed under Section 438 of the Code of Criminal Procedure, 1973 for anticipatory bail.

2. The applicant is apprehending his arrest in Crime No. 308 of 2022 registered at Chandannagar Police Station, Pune for the offences punishable under Sections 376, 498-A, 370(1), 506 r/w. 34 of Indian Penal Code.

3. I have heard the learned Counsel for the applicant, the learned APP for the State and the learned Counsel for the intervenor.

4. According to the prosecutrix, she is permanent resident of West Bengal. She got acquainted with the co-accused Dynaneshwar Shelke, who in the year 2015 brought her to Pune on the pretext that he would marry her. It is alleged that said co-accused after bringing her to Pune forced her to indulge in prostitution. The entire allegations are against the said co-accused. As regards the present applicant, it is alleged that on 4 January 2022 the present applicant, who is the friend of co-accused committed forcible sexual intercourse with her.

5. It appears that report came to be lodged only after some financial dispute arose between the prosecutrix and the co-accused Dynaneshwar Shelke and not immediately after the alleged incident of rape dated 4 January 2022. Considering the overall facts and circumstances of the case, I am inclined to grant anticipatory bail to the present applicant. In the result, the following order is passed :

(i) Application is allowed.

(ii) In the event of arrest of the applicant - Tanaji Sudhakar Suryavanshi in Crime No. 308 of 2022 registered at Chandannagar Police Station, Pune for the offences punishable under Sections 376, 498-A, 370(1), 506 r/w. 34 of Indian Penal Code, he shall be released on furnishing P.R. Bond in the sum of Rs.25,000/- with one or more sureties in the like amount.

(iii) The applicant shall attend the concerned police station once in a month i.e. on first Saturday between 11.00 a.m. to 2.00 p.m. till conclusion of trial.

(iv) The applicant shall not try to contact the prosecutrix either directly or indirectly.

(v) The prosecution/prosecutrix is at liberty to file application for cancellation of bail if condition is breached.

6. In view of the disposal of the anticipatory bail application, the interim application stands disposed of.

(N.R. BORKAR, J.)

KANCHAN
PRASHANT
DHURI

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by KANCHAN
PRASHANT
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