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

BAIL APPLICATION NO.3545 OF 2023

IMRAN MOHID KHAN

..APPLICANT

VS.

THE STATE OF MAHARASHTRA

..RESPONDENT

Adv. Devendra Patil for the applicant.

Mr. P. H. Gaikwad, APP for the State.

CORAM : M. S. KARNIK, J.

DATE : NOVEMBER 9, 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(2)(n), 504 of the Indian Penal Code (hereafter 'IPC' for short) and under Section 67 of the Information Technology Act, 2000 registered on 08.08.2023 vide C.R. No.254 of 2023 with Kongaon Police Station, Thane.

3. The FIR was registered on 08.08.2023. The applicant and the victim were knowing each other since May 2022

and were in a relationship. It is the accusation that on false pretext of marriage the applicant induced the victim to enter into a physical relation with him.

4. Learned APP opposed the application for bail.

5. Prima facie, on reading of the statement of the prosecutrix the possibility of the relationship being consensual cannot be ruled out. The applicant was arrested on 10.08.2023 and is now in custody for more than 14 months. The trial is likely to take a long time to conclude. The investigation is complete. The charge-sheet has been filed. There are no criminal antecedents reported against the applicant. The applicant will face the consequences of the trial if found guilty. In these facts the applicant can be enlarged on bail by imposing stringent conditions as prolonging the custody of the applicant will only be by way of a pre-trial punishment. Hence, the following order :-

ORDER

(a) The application is allowed.

(b) The applicant-Imran Mohid Khan in connection with C.R. No.254 of 2023 registered with Kongaon

Police Station, Thane 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 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 not enter the jurisdiction of Bandra Police Station where the victim is residing.

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

6. The application is disposed of.

(M. S. KARNIK, J.)