



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

985 BAIL APPLICATION NO. 2020 OF 2024

AVINASH DHANRAJ @ DHANAJI TURE

VERSUS

THE STATE OF MAHARASHTRA

...

Advocate for Applicant : Mr. Patil Shashikiran N.

APP for Respondent/State: Mr. B. B. Bhise

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CORAM : ARUN R. PEDNEKER, J.

DATE : 05.12.2024

P.C. :

1] Heard learned counsel for the applicant and the learned APP for the respondent-State.

2] The applicant is seeking bail as he was arrested on 10.09.2024 in connection with Crime No.303/2024, dated 10.09.2024, registered with Nilangai Police Station, Taluka Nilanga, District Latur, for the offences punishable under Section 69 of B.N.S. and Sections 66(A), 67(A) of the Information Technology Act.

3] It is contended in FIR that the applicant had been to her sister's house at Makhani for helping her in the work of mess and, thereafter, there was love relations between them The prosecutrix is widow of 30 years of age.

The applicant is of 22 years of age. It is stated in the FIR that the prosecutrix came to know the applicant at her sister place and thereafter there were relations between them. The applicant has forcibly had sexual intercourse with the prosecutrix. Thereafter, there was threats given by the applicant to the prosecutrix to viral certain photos / videos. As such, FIR is registered against the applicant under the above sections.

The applicant is arrested on 10.09.2024 and is in custody since then.

4] On perusal of the police papers statement under Section 183 of the BNSS corresponding to Section 164 of Cr.P.C., she has not mentioned anything as regards the sexual intercourse in her statement. She has stated that she has love affair with the applicant and that the applicant threatened her to make the photos / videos viral. She has also mentioned about the incidents where the applicant meet her and was drunken and that she should marry him and on her refusal had beaten her.

However, there is no mention of any sexual assault under 164 statement.

5] In view of the above, the application is allowed in the following terms :

a] The applicant shall be released on bail in

connection with Crime No.303/2024, dated 10.09.2024, registered with Nilangai Police Station, Taluka Nilanga, District Latur, for the offences punishable under Section 69 of B.N.S. and Sections 66(A), 67(A) of the Information Technology Act, on furnishing PR bond of Rs.15,000/- with one or two sureties in the like amount to the satisfaction of the trial Court.

- b] The applicant shall delete all the fake accounts.
- c] The applicant, upon being released on bail, shall not contact the informant or the family members, in any manner whatsoever, during the pendency of the trial.
- d] The applicant shall co-operate with the trial Court and he shall attend each and every date, unless exempted by the trial Court.
- e] The applicant shall not tamper with the evidence of the prosecution and he shall not influence the informant, witnesses and other persons concerned with the case.
- f] The applicant, upon being released on bail, shall place on record of the trial Court the details of

his Contact Number and residential address with updates in case of any change.

6] Needless to say, in case of violation of any of the aforesaid conditions, the bail granted to the applicant shall be liable to be cancelled.

7] It is also clarified that the observations made in this order are limited to the disposal of the present bail application. The concerned Court shall proceed further in the matter without being influenced by the observations made hereinabove.

8] The application stands disposed of.

[ARUN R. PEDNEKER]
JUDGE

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