



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

ANTICIPATORY BAIL APPLICATION NO. 2135 OF 2023

NAVNATH S/O SAKHARAM KADE

VERSUS

THE STATE OF MAHARASHTRA AND ANOTHER

...

Mr. Dnyaneshwar B. Pokale, Advocate for Applicant

Mr. D.R. Korade, APP for Respondents/State

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CORAM : NITIN B. SURYAWANSHI, J.

DATE : 24th APRIL, 2024

PER COURT :

1. Applicant apprehends arrest in C.R. No.356/2023, registered with Beed Rural Police Station, Dist. Beed, for offence punishable under Sections 376, 500, 504, 506 of the Indian Penal Code.

2. FIR is lodged by informant alleging that she was acquainted with applicant through social media. Taking disadvantage of it, applicant took her to Pune and then to Beed at his house and there established physical relations with her and also took her photos and videos. Thereafter the applicant forced her to perform marriage with him and kept physical relations with her threatening that he will defame her by making her photos and videos viral on social media.

3. Heard learned advocate for applicant and learned APP for respondents/State. Perused the investigation papers.

4. Record indicates that prosecutrix was in consensual relation with applicant. Missing complaint was lodged by husband of informant namely Praful Shiyale on 26/06/2023. After prosecutrix was found, she had given statement to Taloja M.I.D.C. Police Station stating that she had gone to a friend's house. At that point of time she had not disclosed anything about alleged acts done by applicant. *Prima facie*, it appears that the FIR is lodged afterthought.

5. Nothing is to be recovered from applicant, therefore, his custodial detention is not necessary. Hence, the application is allowed by confirming interim protection granted to applicant by order dated 22/12/2023.

6. Till filing of charge-sheet, applicant shall attend concerned police station as and when called by investigating officer and shall co-operate in the investigation. Applicant shall not tamper prosecution evidence.

(NITIN B. SURYAWANSHI, J.)