

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

CRIMINAL BAIL APPLICATION NO. 2858 OF 2024

Anand Sanjay Shelke ...Applicant

Vs.

The State of Maharashtra ...Respondent

Adv. Priyal G. Sarda with Ms. Seema S. Dighe and Shrubham Sane,
Advocate for Applicant.

Mr. S. S. Chaudhari, APP for State-Respondent.

CORAM:- ANIL S. KILOR, J.

DATED:- 4th SEPTEMBER, 2024

PC:-

- 1) Heard.
- 2) By this application under Section 439 of the Code of Criminal Procedure the applicant is seeking bail in Crime No. 41 of 2024 registered with Valsang Police Station, Solapur, for the offence punishable under Sections 376(2)(n) and 506 of the Indian Penal Code, 1860.
- 3) Having gone through the charge-sheet and the relevant material collected by the Investigating Officer during the investigation, prima facie it is evident that physical relations between the applicant and the victim were consensual.

4) In that view of the matter since the charge-sheet has been filed, I am of the opinion that further custody of the applicant is not required. In the circumstances, though the learned APP is strongly opposing the present application, I am inclined to grant of bail. Accordingly, I pass the following order.

ORDER

- i. The Bail Application is allowed;
- ii. It is directed that the Applicant shall be released on bail in Crime No. 41 of 2024 registered with Valsang Police Station, Solapur, for the offence punishable under Sections 376(2)(n) and 506 of the Indian Penal Code, 1860, on furnishing P.R. Bond of Rs.25,000/- (Rupees Twenty Five Thousand) with one solvent surety in the like amount;
- iii. The applicant shall attend the concerned police station on 1st and 16th day of each month between 10.00 am to 11.00 am till the conclusion of the trial except on the date of trial;
- iv. The applicant shall not establish direct or indirect contact with the victim.
- v. The Applicant shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case, as also not tamper with the evidence;
- v. Liberty is granted to the State to apply cancellation of bail if the applicant commits similar offence.;

- vi. The Applicant shall attend the trial before the Trial Court regularly on every date unless exempted by the Trial Court for any reason.
- vii. Application stands disposed of, accordingly.

[ANIL S. KILOR, J.]