

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO.3445 OF 2023

Vijay Limbaji Rathod

Applicant

versus

The State of Maharashtra

Respondent

Adv.Bhagyesha Kurane i/by Adv.Vijay Kurle for Applicant.
Mrs.Sangita M.Yadav, APP, for State.

CORAM : ANIL S.KILOR, J.

DATE : 11th June 2024

PC :

1. Heard.
2. The applicant is seeking pre-arrest bail in Crime No.621 of 2023, registered with Solapur Taluka Police Station, Solapur Rural, for the offences punishable under Sections 376(2)(n), 504, 506 of the Indian Penal Code.
3. In the present matter the allegations are that on the pretext of marriage Applicant established sexual relations with the informant against her wish and thereafter he refused to marry the informant.
4. After going through the allegations made in the complaint it can be seen that there was a consensual relation between Applicant and the informant. In the circumstances whether there was any promise given by the Applicant of marriage, is a matter of evidence. Moreover, Applicant is on bail in view of the order dated 17th November 2023. There is no complaint in last eight months about misuse of liberty by Applicant and in the mean time on completion of

investigation charge sheet has been filed.

5. In the circumstances I am of the opinion that present application needs to be allowed as custody of Applicant is not necessary in the present matter.

6. Accordingly, Anticipatory Bail Application is allowed and disposed off. The order dated 17th November 2023 is confirmed.

(ANIL S.KILOR, J.)

MST