

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

ANTICIPATORY BAIL APPLICATION NO.849 OF 2024

Sahil Patil & Anr. Applicants

versus

State of Maharashtra Respondent

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- Mr. Prashant D. Patil, Advocate for Applicant.
- Mr. C. D. Mali, APP for the State/Respondent.

CORAM : SARANG V. KOTWAL, J.
DATE : 03rd APRIL, 2024

P.C. :

1. The Applicants are seeking anticipatory bail in connection with C.R.No.560/2023, dated 07/12/2023, registered with Nandgaon Police Station, Nashik Rural, under sections 376(2)(n), 417, 506, 341 r/w 34 of the Indian Penal Code.

2. Heard Mr. Prashant D. Patil, learned counsel for the Applicants and Mr. C. D. Mali, learned APP for the State.

3. Learned APP is seeking adjournment as the Investigating Officer is not present. At his instance today I am

adjourning the matter. However, I have heard the parties for consideration for ad-interim relief.

4. The FIR is lodged by the victim herself. She is 20 years of age. The Applicant No.1 and his family were her neighbours. The FIR mentions that the Applicant No.1 had proposed marriage to her, but she had refused. Even after that, the Applicant No.1 continued making such proposals. On 30/10/2023, the Applicant No.1 told her that after her last paper was over, on the next day they should elope and that they could go to his relative's place who would support them. It is her case that on 31/10/2023, both the Applicants came outside her college in a car. The Applicant No.1 told her to sit in the car. She refused. But he pressurized her showing some photographs. It is further alleged that the Applicant No.1 gave her something to drink, because of which she became unconscious. It is her case that in that state, the Applicant No.1 established physical relations with her. Thereafter, she started following his suggestions. On 01/11/2023, she was taken to Alandi. The Applicant No.1 took her signatures on some documents. The FIR

thereafter goes on to mention that they stayed with the Applicant No.1's relatives on different dates at different places and had their physical relations. It is her case that the Applicant No.1 had shown some photographs, which he had taken during their physical relations and had threatened that he would use those photographs. Because of those threats, she did not lodge her FIR immediately. But after giving a long thought, she decided to lodge her FIR. Therefore, with the support of her family, she lodged this FIR.

5. Learned counsel for the Applicants submitted that the FIR is lodged at the instance of the informant's parents. About 18 persons are made accused, including all the relatives, who have no concern with the affair between the informant and the Applicant No.1. Learned counsel referred to the document showing that the Applicant No.1 and the informant had got married at Alandi. Those documents bear the informant's signatures. He relied on the letters written by the informant to the Applicant No.1 showing their love affair. All these facts are not mentioned in the FIR.

6. Considering these submissions, the Applicants have made out a case for grant of ad-interim relief, till the next date.
7. Hence, the following order :

ORDER

- (i) In the event of their arrest in connection with C.R.No.560/2023, dated 07/12/2023, registered with Nandgaon Police Station, Nashik Rural, till the next date, the Applicants are directed to be released on bail on their furnishing PR bond in the sum of Rs.30,000/- (Rupees Thirty Thousand Only) each, with one or two sureties each, in the like amount.
- (ii) This order shall operate till 30/04/2024.
- (iii) Stand over to 30/04/2024.

(SARANG V. KOTWAL, J.)