

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

Anticipatory Bail Application No.1411 of 2024

Anurag Brijesh Tiwari Applicant.

Vs.

1. The State of Maharashtra

(through Manpada police Station, Thane)

2. Renu Indresh Tiwari Respondents.

Mr Sandeep Mishtra i/by Mr Vijay Tiwari for the applicant.

Ms Rajshree Newton, APP for the respondent/State.

PSI KD Gangurde, Manpada police station present.

Coram : R.N. Laddha, J.

Date : 10 June 2024.

P.C.:

Leave to amend, to add first informant as party respondent. Amendment to be carried out forthwith.

2. The applicant is apprehending arrest in connection with CR No.507 of 2023, registered with Manpada Police Station, Thane, for the offences punishable under Sections 354, 354-A and 420 of the Indian Penal Code.

3. The allegations against the applicant are that on 12 April 2023, he visited the first informant's house for their

engagement and gifted her a saree and a gold ring. The following day, the applicant returned to the first informant's house, inviting her into the bedroom where he made an inappropriate physical advance. Subsequently, on 22 May 2023, the applicant demanded Rs.6,00,000/- from the first informant to start a new business. Additionally, on 15 June 2023, applicant took a 20 gms gold chain from the first informant. However, the applicant neither returned the money nor made any contact with the first informant, triggering the first informant to file a complaint with the police.

4. Learned Counsel for the applicant invites the attention of this Court to the FIR and submits that the applicant did not express any grievance from the alleged incident on 13 April 2023 until the filing of the FIR on 10 July 2023. Additionally, the applicant consistently transferred funds to the first informant's account. The learned Counsel emphasises that the allegation of a name change is incorrect; in reality, Rinku is the applicant's nickname.

5. The learned APP states that there is no need for custodial interrogation of the applicant. However, the

learned APP submits that given the severity of the offence the applicant is not entitled for grant of anticipatory bail.

6. Even as per the FIR, it appears that the first informant and the applicant herein were involved in a love affair and were supposed to marry, but eventually, the marriage did not materialise. The allegations of molestation date back to 13 April 2023, and the FIR was lodged on 10 July 2023. The bank statements *prima facie* suggest that the applicant transferred funds from his account to the first informant also. The Sessions Court denied the applicant's anticipatory bail primarily for two reasons : first, the applicant received Rs.6,00,000/- from the first informant, and second, the investigating officer informed the Court that the address provided by the applicant in his bail application was incorrect, and the applicant had assumed the identity of Rinku Tiwari. Considering the nature of the allegations and the factual backdrop in which the allegations were made, a case for grant of *ad-interim* protection is made out.

7. In view of above, issue notice to the newly added respondent/first informant returnable on **18 June 2024**.

8. In the meanwhile, in the event the applicant is arrested in connection with CR No.507 of 2023, registered with Manpada Police Station, Thane, he shall be released on furnishing a PR bond of Rs.25,000/- with one or more sureties in the like amount. The applicant shall cooperate with the investigation and attend the Police Station as and when required. The applicant shall not in any manner tamper with the prosecution evidence/witnesses.

9. Stand over to **18 June 2024.**

[R. N. Laddha, J.]