

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

ANTICIPATORY BAIL APPLICATION NO. 2791 OF 2024

Sanjay Nagnath Jadhav	...	Applicant
Versus		
The State of Maharashtra	...	Respondent

Mr. Ritesh Thobde a/w Zubi Ansari for the Applicant.
Ms. Rutuja A. Ambekar, APP for Respondent-State.

**CORAM: MANISH PITALE, J.
DATE : 16th OCTOBER 2024**

P.C. :

. Heard learned counsel for the applicant and learned APP for the respondent-State.

2. The applicant is apprehending arrest in connection with FIR No. 0352 of 2024 dated 27th July 2024 registered at Jail Road Police Station, Dist. Solapur, for offences under Sections 354-D, 376, 376(2)(n) and 506 of the Indian Penal Code, 1860 (IPC).

3. The informant has alleged that the applicant, under the pretext of marrying her and providing a job in an orphanage that he was supervising, repeatedly indulged in sexual intercourse with her. At places, the informant has stated that he did so forcibly. On the basis of the aforesaid statement, the FIR has been registered.

4. The learned counsel for the applicant submits that on an

earlier occasion i.e. on 18th December 2023, the informant had approached the Police and lodged a complaint, but documents obtained under the provisions of the Right to Information Act, 2005 (RTI Act), show that the informant chose not to pursue the aforesaid complaint. Thereafter, the present FIR has been registered. It is submitted that this is a case of false implication, as the relationship could, at best, be called consensual.

5. The learned APP submits that the ingredients of the offences are made out and as regards the earlier Police complaint, it is explained in the present FIR itself that an attempt at mediation was made, but the same failed.

6. Having considered the fact that an earlier Police complaint lodged by the informant was not seriously pursued and considering the time period, during which the applicant is alleged to have repeatedly indulged in the aforesaid conduct, this Court is of the opinion that a *prima facie* case is made out by the applicant in his favour for granting interim relief. The applicant has undertaken to cooperate with the investigation and in that light, interim order can be granted.

7. In view of the above, the following interim order is passed :

- (a) Till the next date, in the event the applicant is arrested in connection with FIR No.0352 of 2024 dated 27th July 2024 registered at Jail Road Police Station, Dist. Solapur, he shall

be released on bail on furnishing PR Bond of Rs.25,000/- and one or two sureties in the like amount.

(b) The applicant shall remain present before the Investigating Officer on 18th October 2024 between 10:00 a.m. and 12:00 noon and thereafter, as and when called by the Investigating Officer. The applicant shall cooperate with the investigation.

(c) The applicant shall not tamper with the evidence of the prosecution in any manner. He shall not influence the informant, witnesses and other persons concerned with the case.

8. In the event, the applicant violates any of the aforesaid conditions, the order passed today would be recalled.

9. List this application for further consideration on 25th November 2024 (High on Board).

MANISH PITALE, J.