



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

BAIL APPLICATION NO.2319 OF 2024

Rajdeep Rahul Salve
Age: 31 years, Occu.: Labour
R/o. Bhadli, Tq. Vaijapur,
District Aurnagabad

... Applicant

Versus

The State of Maharashtra
Through Incharge of
Anand Nagar Police Station,
Osmanabad, District Osmanabad

... Respondent

**WITH
INTERVENTION APPLICATION NO.438 OF 2025 IN BA/2319/2024**

X Y Z

... Applicant

Versus

1. Rajdeep Rahul Salve
Age: 31 years, Occu.: Labour
R/o. Bhadli, Tq. Vaijapur,
District Aurnagabad

2. The State of Maharashtra
Through Incharge of
Anand Nagar Police Station,
Osmanabad.

... Respondents

.....
Mr. Mahesh K.Bhosale, Advocate for Applicant
Mr. C.V. Bhadane, APP for Respondent – State
Ms. Samiksha S. Auti, Advocate for Informant
.....

CORAM : ABHAY S. WAGHWASE, J.

RESERVED ON : 03 FEBRUARY 2025

PRONOUNCED ON : 05 FEBRUARY 2025

ORDER :

1. This application for grant of regular bail on account of arrest of applicant in Crime No.0246 of 2024 registered at Anand Nagar Police Station, District Osmanabad for offences punishable under Sections 376, 384, 354(A) and 506 of the Indian Penal Code (IPC) and Sections 66(c) and 67 of the Information Technology Act.
2. Criminal Application No.438 of 2025 filed by the victim for intervention seeking permission to assist the public prosecutor is allowed.
3. Pointing to the date of arrest of the applicant as 22.01.2024, learned counsel for the applicant submitted that, applicant and victim came in contact with each other on Facebook. That, victim is a widow and also has a daughter. That, due to regular contact on Facebook, there were love relations. That, there was no previous complaints, objection or any so called allegations are raised about rape. Learned counsel pointed out that, in fact, the applicant had, at various times during their acquaintance, lent money to the victim, and only when the same was demanded, to avoid the payment, false allegations are levelled. He pointed out that, victim gave two supplementary statements improvising her statement. That, now investigation is over, even charge-sheet is also filed. That, both applicant and victim reside at distinct place. That, when nothing is further shown to be recovered or discovered at the instance of applicant and he is ready to abide all and any conditions imposed by this Court, learned counsel seeks grant of regular bail.

4. Learned APP as well as learned counsel for the victim opposed the application on the ground that serious offence is committed. That, there was threat and blackmailing to make photographs of the victim viral on social media, and thereafter, she has been raped. That, victim was married, but she has been exploited. That, with such background and when the applicant's mobile phone, which allegedly contains photographs of the victim, has yet to be seized, they both have opposed to grant any relief.

5. Heard both the sides. In the light of above submissions, papers are put to scrutiny, more particularly, FIR. The same seems to be at the instance of victim, who is apparently 38 years of age, and she has reported police on 31.08.2024 that, she resides with her husband and daughter. She further reported that in 2017-2018, that the applicant sent her a friend request on Facebook and she had accepted it. Thereafter, they were in contact of each other. She claims that, applicant inquired about her marital life, and she informed him that she was a widow with a daughter. He then allegedly expressed his desire to marry her, and therefore, she trusted him and started meeting him. She claims that by assurance to marry her, against her wish, he maintained physical relations with her, but out of fear of getting defame and as there was no one to look after, she did not report it. She alleges demand of

Rs.25,00,000/- and on its failure, he would make her photographs viral. Again on 28.12.2024, that after almost four months thereafter, she has given supplementary statement stating and reiterating that in 2017-2018, she had sent friend request on Facebook account, and it was accepted by the present applicant. Since then, they were in touch with each other, and he inquired about her marriage life, and even expressing his desire by promising to marry her, he maintained physical relations with her. She claims that not only this, he also snapped her obscene photographs, but he subsequently refused to marry and closed his Facebook account. Then, she claims that in the year 2021, she got married to a person resident of Dharashiv, however, on the strength of her previous photographs, accused started blackmailing her and even started seeking sexual favour, and also made her photographs for a period of 21.08.2023 to 23.08.2024 viral on Facebook account. After which, her relatives started calling her and questioning her, and that time she disclosed that he was blackmailing her for Rs.25,00,000/-.

6. Therefore, what is discerned from above and supplementary statement is that victim is almost 38 years of age. The victim and applicant seems to have got acquainted and even came close on Facebook. In FIR, she has not specifically stated the date on which the applicant allegedly had sexual intercourse against her wish by sheer promise of marriage of marriage. Message and WhatsApp chats are

placed on record. As submitted by learned counsel for the applicant, now investigation is said to be over and charge-sheet is also filed. The applicant resides in Bhadli, District Aurangabad, whereas the victim resides at distinct place, and there being no plausible reason for further continuing detention, and when nothing is shown to be recovered or discovered at the instance of applicant, application deserves to be allowed by imposing conditions. Hence, the following order :

ORDER

- (i) Application is allowed.
- (ii) Applicant Rajdeep Rahul Salve be released on bail in connection with Crime No.0246 of 2024 registered at Anand Nagar Police Station, District Osmanabad Police Station, District Beed on executing Personal Bond of Rs.15,000/- with one surety in the like amount on following conditions:
 - (a) The applicant shall not enter Dharashiv City, District Dharashiv till conclusion of trial.
 - (b) Applicant shall not tamper prosecution evidence.

**ABHAY S. WAGHWASE,
JUDGE**