



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

933 ANTICIPATORY BAIL APPLICATION NO. 389 OF 2025

VISHAL BHAUSAHEB BAYKAR

VERSUS

THE STATE OF MAHARASHTRA AND ANOTHER

...

Advocate for Applicant : Mr. Bhosale Aniket Deepak (V.C.)

APP for Respondents 1 & 2 : Mr. N.B. Patil

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CORAM : ARUN R. PEDNEKER, J.

DATE : 19/03/2025

PER COURT :

1. Heard the learned counsel for the applicant and the learned APP for the respondents-State.
2. The applicant is apprehending arrest in connection with Crime No. 159/2025 dated 18.2.2025 registered with Shrigonda Police Station, Tq. Shrigonda, District Ahmednagar for the offences punishable under sections 64, 351(2) of B.N.S., 2023.
3. The case against the applicant is that on 17.2.2025 when the informant was at Shrigonda along with her sister, applicant came there in his Skoda car and he took the informant in the car to hotel at Maliwada. They had taken dinner and thereafter, the applicant has taken the informant on the lodge and has committed rape on her. Therefore, the informant has lodged FIR against the applicant for aforesaid offences.
4. The learned counsel for the applicant submits that the applicant and so also the informant are married persons and that they are in relationship for the last three years and that it is also stated in the FIR that the applicant and the informant were in relations.
5. Considering this aspect, prima facie, it cannot be said that the

applicant has forcible sexual intercourse with informant under the pretext of false promise of marriage to the informant.

6. In view of the same, the application is allowed on the following terms :-

i] In the event the applicant is arrested in connection with Crime No. 159/2025 dated 18.2.2025 registered with Shrigonda Police Station, Tq. Shrigonda, District Ahmednagar for the offences punishable under sections 64, 351(2) of B.N.S., 2023, he shall be released on bail on furnishing PR bond of Rs.20,000/- with one or two sureties in the like amount.

ii] The applicant shall attend the police station as and when required.

iii] 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.

iv] The applicant shall co-operate with the investigation and also in the proceedings before the trial Court.

7. In the event, the applicant violates any of the conditions specified in this order, it shall be liable to be cancelled.

8. It is also clarified that the observations made in this order are limited to the disposal of the present anticipatory bail application and the trial Court shall proceed further in the matter without being influenced by the observations made hereinabove.

9. The application stands disposed of.

[ARUN R. PEDNEKER, J.]