



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

BAIL APPLICATION NO. 568 OF 2025

Ramesh Rajendra Labade

Age : 33 years, Occupation : Doctor,

R/o. Mangarul, Taluka Tuljapur,

District Dharashiv.

... Applicant

Versus

1. The State of Maharashtra
Through Police Station In Charge,
Tuljapur Police Station,
Taluka Tuljapur, District Dharashiv.

2. X. Y. Z.

... Respondent

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Mr. Vivekanand B. Deshmukh, Advocate for the Applicant.

Mrs. Vaishali S. Chaudhari, APP for Respondent No.1-State.

Ms. Pooja K. Apache, Advocate for Respondent No.2 (appointed)

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CORAM : ABHAY S. WAGHWASE, J.

Reserved on : 28.04.2025

Pronounced on : 29.04.2025

ORDER :

1. Present application is for grant of regular bail on account arrest of applicant in crime no. 0512 of 2024 registered at Tuljapur Police Station, District Dharashiv for offences punishable under Sections 64(1), 68, 71, 351(3), 238 of the Bharatiya Nyaya Sanhita (BNS).

2. Learned counsel pointed out that, applicant is arrested in above crime on 11.01.2025. Learned counsel further pointed out that,

victim is 22 years of age. That, there are false allegations. At one point of time, victim alleged occurrence to be of 16.07.2024, but in Statement under Section 164 of Cr.P.C., she has given different date i.e. 20.08.2024. That, investigation is over and charge sheet is already filed in February 2025 itself. No further recovery or discovery is to be made. Learned counsel pointed out that though charge sheet is filed, charge has not been framed and matter has not been committed yet, and as much more time would be required for commencement of trial, he urges for grant of bail.

3. Learned APP as well as learned counsel appointed to represent no.2 informant, both have opposed on the ground that serious offence of rape is committed. That, repeated offences are committed. Report is lodged by victim herself. They also apprehend misuse of liberty.

4. Heard. Perused the FIR dated 01.11.2024. Victim, who gave her age as 22 years, has reported that six months prior to the FIR, on account of cough and cold, she visited the hospital, namely, Om Sai Clinic run by Dr. Ramesh Rajendra Labade (present applicant). She claims that initially, her blood test was done and it was suggested that she would be required to take course of six injections and was called to hospital periodically after two days. She claims that, after two

injections, her mother who accompanied her, was asked to wait outside by the compounder and that time, after giving injection, she felt dizzy. After gaining consciousness, she claims that present applicant told her that she has allergy and therefore was given injection. After giving last injection, it is alleged that, present applicant demanded sexual favours stating that he has her video, and he maintained physical relations with her against her wish and threatened to make the video viral. On 16.07.2024, he alleged took her to a lodge and at gun point, he had forcible sexual intercourse with her.

5. As pointed out, in FIR, victim has reported date of occurrence as 16.07.2024, but in her supplementary statement dated 07.11.2024, she has stated about she being not raped on lodge on 16.07.2024, but it was on 20.08.2024. Therefore, as pointed out, *prima facie* informant is changing her version. She is a grown up lady. Learned APP, on court query, pointed out that there is no video recovered by investigating machinery. Therefore, taking the same into consideration and as charge sheet is already filed in February 2025, and when no further recovery or discovery is to be made, no purpose would be served by further detention of the applicant. With such quality of allegations, as there are no immediate prospects of matter

going for trial, applicant deserves relief of bail. Hence, I proceed to pass the following order:

ORDER

- I. The application is allowed.
- II. Applicant be released on bail in connection with Crime No. 0512 of 2024 registered at Tuljapur Police Station, District Dharashiv, on executing Personal Bond of Rs. 15,000/- with one surety in the like amount, on the following conditions:
 - [a] The applicant shall not tamper prosecution evidence.
 - [b] The applicant shall not enter the vicinity where informant and her family resides, till conclusion of trial.
 - [c] The applicant shall not leave the area of jurisdiction of the concerned police station till conclusion of trial.
 - [d] The applicant shall attend the concerned police station once in every week i.e. on every Thursday till framing of charge and thereafter, shall regularly attend each and every effective date before the trial court.
- III. Fees of the learned counsel appointed to represent respondent no.2 is to be paid by the High Court Legal Services Sub-Committee, Aurangabad as per Rules.

[ABHAY S. WAGHWASE, J.]