



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

937 ANTICIPATORY BAIL APPLICATION NO. 1570 OF 2024

MANOJ BHAGWAN ABDULLEH

VERSUS

THE STATE OF MAHARASHTRA

...

Advocate for Applicant : Mr. Revan P. Bhumkar
APP for Respondent/State : Mr. G.O. Wattamwar

...

CORAM : ARUN R. PEDNEKER, J.

Dated : January 24, 2025

PER COURT :-

1. Heard the learned counsel for the applicant and the learned APP for the respondent-State.
2. The applicant is apprehending arrest in connection with Crime No. 410/2024, dated 18.08.2024 Jamkhed Police Station, District Ahmednagar for the offences punishable under sections 64(2)(m), 356(2), 115(2), 352, 351(2), 351(3) of the B.N.S.
3. The case against the applicant is that from May 2024 to August 2024, the applicant had kept physical relations with the informant without her consent. It is specifically stated in the complaint that in May 2024, the applicant called her on phone and there was discussion between them about the marriage and the informant had informed the applicant that since she was already married and she was not divorced, she cannot marry with the applicant. Notwithstanding, the applicant was trying to convince the informant to get the divorce and the applicant had also kept physical relations with the informant by taking her in one room. Again in the month of August another such incident has happened. In the F.I.R., it is further stated that the above conversation between the applicant and informant was transmitted to brother of the informant and that the applicant

threatened the informant that he would make their conversation viral. Based on the above allegations, the F.I.R. came to be filed against the applicant.

4. The learned counsel for the applicant submits that this Court has granted interim protection to the applicant and the applicant has cooperated with the investigation as directed by this Court.

5. Considering the allegations made in the F.I.R., the possibility of consensual relations cannot be ruled out.

6. In view of the above, the application is allowed and the interim protection granted to the applicant vide order dated 23.09.2024 is confirmed on the the following terms :

i] The applicant shall attend the police station as and when required by the Investigating Officer.

ii] 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.

iii] 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.)

ssc/