



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

954 ANTICIPATORY BAIL APPLICATION NO. 1772 OF 2024

GANESH SHANKARRAO GADADE

VERSUS

THE STATE OF MAHARASHTRA AND ANOTHER

...

Advocate for Applicant : Mr. Prashant Prabhakar Giri

APP for Respondent 1/State : Mr. S.P. Sonpawale

Advocate for Respondent 2 : Mr. V.B. Jogdand

...

CORAM : ARUN R. PEDNEKER, J.

DATE : 27.02.2025

PER COURT :

1. Heard the learned counsel for the applicant, the learned APP for the respondent-State and Mr. V.B. Jogdand, learned advocate for respondent No. 2.
2. The applicant is apprehending arrest in connection with Crime No. 313/2024 dated 29.8.2024 registered with Sillegaon Police Station, Tq. Gangapur, District Aurangabad for the offences punishable under sections 376, 376(c), 323, 504, 506 r/w. 34 of I.P.C.
3. This Court by order dated 17.10.2024 has granted interim protection to the applicant. While granting interim protection, this Court is of prima facie view that the relations between the applicant and the informant are consensual one. The prosecutrix is a married lady and has made allegation of forcible physical relationship with her by the applicant by giving false promise of marriage. Prima facie there cannot be a false promise of marriage to a married woman. Considering the above, the interim protection granted on 17.10.2024 can be confirmed.
4. In view of the above, the application is allowed and the interim

protection granted on 17.10.2024 is confirmed on the following terms :

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

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

6. 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.

7. The application stands disposed of.

[ARUN R. PEDNEKER, J.]

SSC/