

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
BAIL APPLICATION NO. 5363 OF 2024

Bramhadev V. Manjare

...Applicant

V/s.

State of Maharashtra & Anr.

...Respondent.

.....
Mr. Nagraj Shinde a/w. Mr. Prasad Kamthe, Mr. Deepak Jadhav and
Mr. Prithviraj Soni for the Applicant.

Mr. V.A. Kulkarni, APP for the Respondent/State

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CORAM : N.R. BORKAR, J.
DATE : 27.01.2025.

P.C. :

1. This is an application for regular bail.
2. The applicant came to be arrested in Crime No. 899 of 2024 registered at Hadapsar Police Station, Dist. Pune for the offences punishable under Sections 376, 376(2)(n) and 506 of the Indian Penal Code.
3. I have heard the learned counsel for the applicant and the learned APP for the respondent - State and perused the statement of the prosecutrix.
4. According to the prosecutrix, the applicant was her friend. She has alleged that one day in the month of August 2023, the applicant had called her at one Shivsagar lodge and forcibly committed sexual intercourse with her. She has further alleged that the applicant thereafter repeatedly committed sexual intercourse with her during the period from September 2023 to October 2023 by blackmailing her.

5. There is delay of about 10 months in lodging the FIR. Apart from it, *prima facie*, the alleged relationship between the prosecutrix and the applicant appears to be consensual. Considering these facts, I am inclined to release the applicant on bail. In the result, the following order is passed.

ORDER

A] Bail Application is allowed.

B] The applicant be released on bail in C.R. No.899 of 2024 registered at Hadapsar Police Station, Dist. Pune for the offences punishable under Sections 376, 376(2)(n) and 506 of the Indian Penal Code on furnishing P.R Bond in the sum of Rs.25,000/- (Rupees Twenty Five Thousand) with one or two sureties in the like amount.

C] The applicant shall attend the concerned police station once in a month ,i.e., on 1st Saturday between 11.00 a.m. to 2.00 p.m. till conclusion of the trial.

C] The prosecutrix is resident of Kondhwa. The applicant therefore shall not enter into the limits of Kondhwa Police Station till conclusion of the trial.

[N.R.BORKAR, J.]