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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

CRIMINAL BAIL APPLICATION NO. 1793 OF 2025

Bhushan Santaram Patekar

.. Applicant

Versus

The State of Maharashtra and Ors.

.. Respondents

-
- Mr. Ujjwal Gandhi, Advocate for Applicant.
 - Mr. R.M. Pethe, APP for Respondent Nos.1 and 2 – State.
 - API Jikar, Rabale MIDC Police Station present.
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CORAM : MILIND N. JADHAV, J.

DATE : APRIL 30, 2025.

P.C.:

1. Heard Mr. Gandhi, learned Advocate for Applicant and Mr. Pethe, learned APP for Respondent Nos.1 and 2 – State.

2. Considering the indictment of the Applicant for offences punishable under the provisions of Section 376 and other allied offences of the Indian Penal Code, 1860 (for short “**IPC**”), issue notice to Respondent No.3. Humdast permitted.

3. Learned Advocate for Applicant would submit that principal allegation under Section 376(2) of the IPC is directed against co-accused – brother of the Applicant in its entirety since the prosecutrix and co-accused brother admittedly got acquainted after meeting on a matrimonial app and spent substantial time together. He would submit

that in so far as case of prosecution against Applicant is concerned, it is alleged that Applicant impersonated as a Bank Manager to induce the prosecutrix to transfer certain amounts in certain bank accounts in connivance with the co-accused brother.

4. Mr. Pethe, learned APP waives service on behalf of Respondent No.1 – State.

5. Mr. Pethe, learned APP appearing for the prosecution shall ascertain the veracity of the submissions made on behalf of the Applicant from the record of the case and accordingly apprise the precise role of the Applicant in the crime to the Court on the next adjourned date.

6. Mr. Gandhi, learned Advocate for Applicant is directed to serve a copy of the Application to the concerned APP and Investigating Officer directly without delay.

7. Concerned Investigating Officer is directed by this Court to depute a lady police officer and obtain Respondent No.3's consent for legal representation so that appropriate order can be passed on the next adjourned date for appointment of Legal Aid Advocate to represent and espouse the cause of Respondent No.3.

8. Let the above exercise be carried out within a period of one week from today. Learned APP shall coordinate with the Investigating

Officer concerned and intimate this order to him.

9. Let the aforesaid exercise be completed within a period of one week from today.

10. List the Bail Application on Board on **7th May 2025**. To be placed under the caption '**For Directions**'.

[MILIND N. JADHAV, J.]

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