

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO. 207 OF 2025

Ananta Chintaman Mohape

.. Applicant

Versus

State of Maharashtra

.. Respondent

.....

- Mr. Manoj Mohite, Sr. Advocate a/w Mr. Vinay Bhanushali and Mr. Sanmit Vaze, Advocates for Applicant.
- Mr. Hitendra J. Dedhia, APP for State.

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CORAM : MILIND N. JADHAV, J.

DATE : JANUARY 24, 2025

P. C.:

1. Heard Mr. Mohite, learned Sr. Advocate for Applicant and Mr. Dedhia, learned APP for State.

2. Applicant - accused is apprehending arrest in connection with C.R. No. 1067 of 2024 registered with Shivaji Nagar Police Station on 20.12.2024 for the offences punishable under Sections 354 and 376 of the Indian Penal Code, 1860.

3. Briefly stated, the case of the prosecution is that she befriended the Applicant on Facebook app in the year 2018 and sometime in 2019 while travelling in the car Applicant hugged her and after few days thereafter Applicant invited her to have coffee with him for which they went to a lodge on which date and time the Applicant ravished her modesty without her consent. Sole incident is stated however, the FIR

is lodged on 20.12.2024 after a hiatus of more than 5 years. According to prosecution informant has stated that her husband had passed away and she was single mother providing care and support to her 15 year old daughter and the Applicant had promised to treat her as his wife. The Applicant is married.

4. Mr. Mohite, learned senior Advocate appearing for the Applicant has placed before me documentary evidence at Exhibit - 'E' Page No. 45 onwards of the Application which would show that Complainant was in fact divorced by mutual consent from her husband in the year 2018. It is *prima facie* seen that there is clear misrepresentation by the Complainant in the FIR. Be that as it may, the aforesaid facts which are *prima facie* evident on record clearly entitle the Applicant for pre-arrest bail. Therefore, Application stands allowed in terms of prayer Clause 'A'.

5. Hence, the following order:-

ORDER

- (i) In the event of the arrest, the Applicant be enlarged on bail on furnishing P. R. Bond in the sum of Rs. 25,000/- with one or two sureties in the like amount;
- (ii) Applicant shall not tamper or attempt to influence the Complainant, witnesses or any person concerned with the case;

- (iii) Applicant shall attend the Police Station on the first Monday of every month between 10.00 a. m. and 12.00 noon until the Charge-sheet is filed and as and when called for by the Investigating Officer thereafter;
- (iv) Applicant shall inform his latest place of residence and mobile contact number immediately after being released and/or change of residence or mobile details, if any, from time to time to the Court seized of the matter and to the Investigating Officer of the concerned Police Station;
- (v) If there is a breach of any of the aforesaid conditions, the prosecution shall be at liberty to seek cancellation of the Applicant's bail.

6. It is made clear that the observations made herein are *prima facie* and are confined to this Application and the learned Judge to decide the case on its own merits, uninfluenced by the observations made herein.

7. Application stands allowed and disposed.

[MILIND N. JADHAV, J.]

ER. Rajput

RAVINDRA
MOHAN
AMBERKAR

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by RAVINDRA
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