

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO. 2449 OF 2025

Md Shoaib Ali Khan ...Applicant
V/s.
The State of Maharashtra & Anr. ...Respondents.

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Adv. Hrishikesh Mundargi, Adv. A. Ali, Adv. Pravada Raut and Adv. Paavani Chaddha for the Applicant.
Mr. Tanveer Khan, APP for the Respondent/State.
Ms Kajal Saraviya a/w. Mr. Yash Kataria for the respondent No.2/first informant.

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CORAM : N.R. BORKAR, J.
DATE : 12.09.2025.

P.C. :

1. This is an application for anticipatory bail.
2. The applicant is apprehending his arrest in Crime No.497 of 2025 registered at Kurar Police Station for the offences punishable under Sections 69, 77, 351(3) of the Bharatiya Nyaya Sanhita and Section 66(E) of the Information Technology Act.
3. The learned counsel for the applicant submits that the relationship between the applicant and the prosecutrix was consensual. It is submitted that they have amicably settled the matter. In support of the submission, the learned counsel for the applicant has drawn my attention to the consent terms annexed to the present application. Learned counsel for the

respondent/prosecutrix does not dispute the execution of the said consent terms. Learned counsel for the respondent/prosecutrix submits that the first informant has no objection if the applicant is released on anticipatory bail.

4. The learned APP for the respondent/State submits that considering the nature of crime, the applicant may not be released on anticipatory bail.

5. I have perused the first information report. *Prima facie*, the alleged relationship between the applicant and the prosecutrix appears to be consensual in nature. In that view of the matter, I am inclined to release the applicant on anticipatory bail. In the result the following order is passed.

ORDER

A) The Application is allowed.

B) In the event of arrest of the applicant in C.R. No.497 of 2025 registered at Kurar Police Station for the offences punishable under Sections 69, 77, 351(3) of the Bharatiya Nyaya Sanhita and Section 66(E) of the Information Technology Act, he be released on bail on executing P.R. Bond in the sum of Rs.25,000/- with one surety or two sureties in the like amount.

[N.R.BORKAR, J.]