

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO. 2046 OF 2025

Himanshu S. Bajpai ...Applicant
V/s.
The State of Maharashtra & Anr. ...Respondents.

WITH
INTERIM APPLICATION NO. 2797 OF 2025

.....
Ms Neetu Singh for the Applicant.
Mr. B.V. Holambe Patil, APP for the Respondent/State.
Ms Ankita Kumar i/b Adv. Neeraj Kumar Pandey for the respondent
No.2 in ABA and for the Intervenor in IA.
PSI Navnath Kadam, Bolinj Police Station present.

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CORAM : N.R. BORKAR, J.
DATE : 20.09.2025.

P.C. :

1. This is an application for anticipatory bail.
2. The applicant is apprehending his arrest in Crime No. 144 of 2025 registered at Bolinj Police Station for the offences punishable under Sections 376, 376(2)(n) and 506 of the Indian Penal Code.
3. The applicant and the victim were working in the same office. According to the prosecution, in April-2022, the applicant had called the victim to his house on the pretext of arranging his household articles. It is alleged that he proposed her for marriage and though she said that she needs time to consult her parents, he subjected her to sexual intercourse on the pretext that he would shortly marry her. According to the prosecution on multiple

occasions the applicant subjected the victim to sexual intercourse on the false promise of marriage.

4. I have heard the learned counsel appearing for the applicant, the learned APP for the respondent / State and the learned counsel for the intervenor/prosecutrix.

5. Learned counsel for the applicant submits that the alleged physical relationship was consensual. It is submitted that there is no need of custodial interrogation and the applicant is ready to cooperate in the investigation.

6. On the other hand, learned APP for the respondent/State and the learned counsel for the victim submit that the victim was subjected to sexual intercourse on the false promise of marriage. It is submitted that considering the nature of crime, the applicant may not be released on anticipatory bail.

7. I have perused the first information report. *Prima-facie*, the alleged physical relationship between the applicant and the victim appears to be consensual. 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. 144 of 2025 registered at Bolinj Police Station for the offences punishable under Sections 376, 376(2)(n) and 506 of the Indian Penal Code, 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.

C) The applicant shall attend the concerned police station as and when called by the Investigating Officer and shall cooperate in the investigation.

D] The Anticipatory Bail Application is disposed of accordingly.

8] Pending Interim Application No. 2797 of 2025 stands disposed of.

[N.R.BORKAR, J.]