

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

BAIL APPLICATION NO. 2228 OF 2022

Ravi Ranjan Shamsundar Kumar	
@ Rocky Singh	..Applicant
VS.	
The State of Maharashtra	..Respondent

Adv. Ashok Pandey h/f Vinayak P. Tare for the Applicant.

Mr. S. V. Gavand, APP for the State.

Satyajeet Taitwale, PI, DCB CID Mumbai is present.

CORAM : M. S. KARNIK, J.

DATE : JANUARY 13, 2023

P.C. :

1. Heard learned counsel for the applicant and learned APP for the State.
2. This is an application for bail filed by the applicant- Ravi Ranjan Shamsundar Kumar @ Rocky Singh, in connection with C.R. No. 65 of 2021 registered with DCB CID Branch, for the offence punishable under sections 292, 293, 420, 376, 328, 34 of the Indian Penal Code, 1860. and under sections 67 and 67A of the Information Technology Act, 2000 and under sections 3, 4, 6 and 8 of the Indecent

Representation of Women (Prohibition) Act, 1986.

3. The First Information Report (“FIR” for short) was lodged by the prosecutrix on 08/02/2021. In this FIR there was no allegation of rape. This FIR pertains to the incident which happened on 30/12/2020 and 31/12/2020. The prosecutrix contends to be a model and it is alleged that she was forced to do some nude scenes. It is the accused nos. 1 and 2 who had approached the prosecutrix and called her for the shoot. The applicant who is the original accused no. 5 was supposed to be the lead actor in the pornographic film which was shot at the instance of accused nos. 1 and 2. In the FIR dated 08/02/2021, there are no allegations of rape against the applicant even in respect of the incident of 30/12/2020, filed after an unexplained delay. So far as the applicant is concerned, the accusations are made against him for the offence under section 376 for the first time in the supplementary statement of the prosecutrix dated 29/09/2021. The statement under section 164 of the Code of Criminal Procedure, 1973, (“Cr.P.C.” for short) came to be recorded on 06/10/2021 where again there is no allegation of rape against the present applicant.

4. There is an unexplained delay in naming the present applicant and making allegations of rape against him. The applicant surrendered on 03/03/2022 and is in custody for more than 10 months. The charge-sheet has been filed and the investigation is complete. Considering the nature of the accusations, *prima facie* delay naming the applicant with allegations of rape in the statement recorded under section 164 of the Cr.P.C., the applicant can be enlarged on bail. Hence, the following order.

: ORDER :

(a) Applicant- Ravi Ranjan Shamsundar Kumar @ Rocky Singh shall be released on bail in connection with C.R. No. 65 of 2021 registered with DCB CID Branch, on furnishing P.R. Bond of Rs.25,000/- with one or more sureties in the like amount.

(b) The applicant is permitted to furnish cash bail surety in the sum of Rs. 25,000/- for a period of 6 weeks in lieu of surety.

(c) The applicant shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing the facts to Court or any Police Officer. The applicant shall not tamper with evidence.

(d) On being released on bail, the applicant shall furnish his contact number and residential address to the Investigating Officer and shall keep him updated, in case there is any change.

(e) The applicant shall report to the concerned Police Station once in a month i.e. on the first Monday of every month between 11.00 a.m. and 1.00 p.m.

5. The application is disposed of.

(M. S. KARNIK, J.)