

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

**ANTICIPATORY BAIL APPLICATION NO. 268 OF 2013**

Nazrool Hasan Noorul Hassan Choudhary ...Applicant

vs.

The State of Maharashtra ...Respondent

Ms. S. D. Khot, Advocate for the Applicant.

Ms. S. V. Gajare-Dhumal, APP, for the Respondent –  
State.

**CORAM : A. H. JOSHI, J.**

**DATE : 26<sup>th</sup> MARCH, 2013**

1]           Heard.

2]           Perused the F.I.R. and the order rejecting the  
application for anticipatory bail.

3]           Strong arguments are advanced in support of  
application for bail urging that entire story discloses  
consent.

4]           Present is a case of offence under Section 376  
of the Indian Penal Code.

5]           In the matter of present nature, technical view  
cannot be taken for an effort of protection of civil  
liberties.

6]           The certain loop wholes cannot be used as a ground for grant of anticipatory bail.

7]           The law has to take his own course and after the investigation is completed, the learned Sessions Judge would assess the facts and evidence and would consider as to whether the applicant could be entitled for bail. The said stage is yet to reach.

8]           Merits as surfaced do not entitle the applicant to have the relief of anticipatory bail.

9]           Application is dismissed.

**( A. H. JOSHI, J.)**