HARSHADA H. SAWANT
(P.A.)

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

BAIL APPLICATION NO.2809 OF 2026

Vivekanand @ Vivek Pralhad Gore .. Applicant

Versus

The State of Maharashtra and Anr. .. Respondents

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- Mr. Ganesh Gole a/w. Mr. Ateet Shirodkar, Advocates for Applicant.
- Mr. Sukanta A. Karmakar, APP for Respondent No.1.
- Mr. Vikas Kolekar a/w. Mr. Kunal Shirgire and Mr. Prakash Yedage, Advocates for Respondent No.2.

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CORAM : MILIND N. JADHAV, J.

DATE : OCTOBER 19, 2026

P.C.:

1. Heard Mr. Gole, learned Advocate for Applicant; Mr. Karmakar, learned APP for Respondent No.1 and Mr. Kolekar, learned Advocate for Respondent No.2.

2. This is an Application under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 seeking Bail in connection with C.R. No.85 of 2026 registered with Lonavala Police Station for offences punishable under Sections 64(2)(m), 69, 351(2), 352 read with Section 3(5) of the Bharatiya Nyaya Sanhita, 2023.

3. Both of them are adults and had a proposed alliance between them and were planning to get married. They were seeing each other for more than a little over one year which is *prima facie*

seen from the record. The record also shows that both of them had visited several hotels and places, the details of which are stated in the prosecution case, *inter alia*, with regard to several hotels and resorts in Maharashtra over the one year of their alliance. The case as filed by the First Informant is because of the Applicant resiling from his promise to marry the First Informant. The allliance between parties on the basis of an arranged marriage was being proposed between them on the basis of exchanging their bio-datas which they had confirmed and accepted the same in the month of February-2025. There is a dichotomy in the statement of the First Informant which is recorded and the statement which has been recorded at the time of giving the medico-legal history on the issue of *prima facie* facts.

4. Be that as it may, the *WhatsApp* chats which are placed on record from page No.104 onwards, *prima facie* show that there was no abuse, violence, deceit or force attributed to the relationship between the parties to the Applicant before me. However, after there was a fall out, the indictment is to the effect that even the brother of the Applicant has been roped in as an accused person in the present crime.

5. In view of the fact that the provisions of Section 29 presumption will not apply to the facts of the present case, it is needless to state that the complicity of the Applicant will be proved at trial. *Prima facie* an arguable case is made out by the Applicant on the

basis of consensual nature of relationship and the aforesaid material which is seen from the record for allowing bail.

6. Considering the aforesaid, Applicant is released on bail subject to following conditions:-

(i) Applicant - Vivekanand @ Vivek Pralhad Gore is directed to be immediately released from prison in connection with Crime No. 85 of 2026;

(ii) Applicant is directed to be released on bail on furnishing P.R. Bond of Rs. 15,000/- (Rs. Fifteen Thousand only) with one or two surety / sureties of the like amount;

(iii) Applicant shall report to the Investigating Officer at Lonavala Police Station, once every month on the first Monday of the month between 10:00 a.m. to 12:00 p.m.;

(iv) Applicant shall co-operate with the conduct of trial and attend the Trial Court on all dates, unless specifically exempted and will not take any unnecessary adjournments, if he does so it will entitle the prosecution to apply for revocation of this order;

(v) Applicant shall not leave the State of Maharashtra without prior permission of the Trial Court;

(vi) Applicant shall not influence any of the witnesses or tamper with the evidence in any manner;

(vii) Applicant shall keep the Investigating Officer informed of his current address and mobile contact number and / or change of residence or mobile details, if any, from time to time, as applicable; and

(viii) Any infraction of the conditions shall entail cancellation of bail granted to the Applicant.

7. It is clarified that the observations made in this order are limited for the purpose of granting Bail only and I have not made any observations on merits of the case. The trial shall be adjudicated on the strength of the evidence led and strictly on its own merits being uninfluenced with any of the *prima facie* observations made hereinabove in this order.

8. Bail Application is allowed and disposed of in the above terms.

H. H. SAWANT

[MILIND N. JADHAV, J.]

HARSHADA HANUMANT SAWANT

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