

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
BENCH AT AURANGABAD**

CRIMINAL APPLICATION NO.4022 OF 2015

Dr. Devrao s/o Bapurao Chamnar,
Age 42 years, Occu. Medical
Practitioner, R/o Prashant Nagar,
Ambejogai, Taluka Ambejogai,
District Beed,
(At present all are in Magesterial
Custody in District Prison, Beed)

.. Applicant

Versus

The State of Maharashtra,
through Police Station,
Ambejogai (City), District Beed

..Respondent

Mr S.J. Salunke, Advocate for applicant
Mr S.R. Palnitkar, A.P.P. for respondent

- WITH -

CRIMINAL APPLICATION NO.4259 OF 2015

Vaijanath s/o Atmaram Pathakrao,
Age 35 years, Occu. Service,
R/o Banai Nagar, Ambajogai,
District Beed

..Applicant

Versus

The State of Maharashtra,
through Police Station Officer,
City Police Station, Ambajogai,
Taluka Ambajogai, Dist. Beed

..Respondent

Mr Mohit Deshmukh, Advocate h/f Mr S.G.Chapalgaokar, Advocate for
applicant
Mr S.R. Palnitkar, A.P.P. for respondent

- WITH -

CRIMINAL APPLICATION NO.4295 OF 2015

Dr. Kranti w/o Vinayak Sirsat,
Age 41 years, Occu. Service,
as Associate Professor in M.I.M.S.R.
Medical College, Latur

..Applicant

Versus

The State of Maharashtra,
through P.S. Ambejogai City
Police Station, Ambejogai,
District Beed

..Respondent

Mr V.D. Sapkal, Advocate h/f Mr C.R. Thorat and Mr M.R. Jadhav,
Advocates for applicant
Mr S.R. Palnitkar, A.P.P. for respondent

CORAM : N.W. SAMBRE, J.

DATE : 25th August 2015

PER COURT

Heard.

2. In Criminal Application No.4022 of 2015 and Criminal Application No.4295 of 2015, the applicants are qualified Medical Practitioners whereas in Criminal Application No.4259 of 2015, the applicant is husband of the lady on whom the miscarriage was performed.

3. The applicants are charged with the offences punishable under Sections 312, 316, 201 read with Section 34 of the Indian Penal Code and for the offence punishable under Sections 3, 4 and 5 of the Medical Termination of Pregnancy Act, 1971.

4. The accusation against the applicants-Doctors is that they have helped in carrying the miscarriage, whereas against the applicant-husband is that he was instrumental behind the said act.

5. All these applicants were arrested and were subjected to interrogation. So far as the Doctors are concerned in Criminal Application No.4022 of 2015, he was arrested on 3rd July 2015, in Criminal Application No.4295 of 2015 the applicant was arrested on 29th July 2015, whereas the applicant in Criminal Application No.4259 of 2015 was arrested on 27th June 2015.

6. Learned Assistant Public Prosecutor submits that the investigation is almost complete.

7. Having regard to the nature of allegations and the stage of the investigation, it will be appropriate, in my opinion to order release of the present applicants, particularly in the background of their qualification and social status.

8. As such, I proceed to pass the following order :

9. The applicant Dr. Devrao s/o Bapurao Chamnar, Vaijanath Atmaram Pathakrao and applicant Dr. Kranti Vinayak Sirsat shall be released on bail in connection with Crime No.87/2015, registered with Ambejogai City Police Station, Taluka Ambejogai, District Beed, for the offences punishable under Sections 312, 316, 201 read with Section 34 of the Indian Penal Code and for the offence punishable under Sections 3, 4 and 5 of the Medical Termination of Pregnancy Act, 1971, upon furnishing P.R. Bond of Rs.25,000/- with one surety in the like amount by each of them.

10. Criminal Applications are allowed in above terms.

(N.W. SAMBRE, J.)

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