

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

CRIMINAL BAIL APPLICATION NO. 1172 OF 2015

D.R. Mhamunkar.	...Applicant.
vs.	
The State of Maharashtra.	...Respondent.

Mr.N.Y.Sawant for the Applicant.
Mr.S.H.Yadav, APP. for the State.
Mr.Suresh Bhav, API. Kanjurmarg Police Station present.

CORAM : SMT. SADHANA S. JADHAV, J.
DATE : 16 JULY 2015

PC:

This is an application under Section 439 of the Cr.P.C. The applicant herein is arrested on 15.4.2015 in Crime No.15/2015 registered at Kanjurmarg Police Station for offences punishable under Section 354, 323, 504, 506 of I.P.C. and under Section 3(1),(10),(14) of the Scheduled Caste and Scheduled Tribe (Prevention of Atrocities) Act, 1989. The investigation is completed and the charge sheet is filed. The charge sheet is filed on 5.5.2015. It is the case of the prosecution that on 2.2.2015 the complainant lodged a report in the police station alleging therein that she belongs to Hindu Mahar which is notified as Scheduled Caste in the State of Maharashtra. According to her, on 2.2.2015, she had been to Anil Kirana Store. The present applicant has reached from behind and pushed her since he was annoyed with her due to

earlier incident. He had abused her by referring to her caste. The applicant had allegedly then threatened her of dire consequences. It is alleged that he had attempted to outrage her and applicant is prosecuted under Section 354 of the I.P.C. The applicant has been in Jail for about 3 months. The offence punishable under Section 354 of the I.P.C. contemplates imprisonment for a term which shall not be less than one year but may extend to 5 years and the accused shall also be liable to pay fine. Taking into consideration the fact that the applicant has been in jail for about 3 months and the offence is punishable for 5 years. In the backdrop, applicant deserves to be enlarged on bail.

ORDER

- 1) The application is allowed.
- 2) The applicant be enlarged on bail on furnishing P.R. Bond in the sum of Rs.15,000/- with one or two sureties in the like amount.
- 3) The applicant shall be released on provisional cash bail of Rs.15,000/- for the period of four weeks during which he shall comply with the order.

(SMT. SADHANA S. JADHAV, J.)