

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

BAIL APPLICATION NO.1482 OF 2015

Prabhakar Savlaram Patil

..Applicant

-Versus-

State of Maharashtra

..Respondent

Mr.V.V.Purwant for applicant
Ms.S.S.Kaushi, APP for State

CORAM : A.S.GADKARI, J.

DATE : 21st November 2015.

P.C.

1] The applicant is seeking bail in C.R.No.I/4/15 under section 376, 341, 324, 506 of IPC registered with Ganeshpuri Police Station, Thane Rural. The aforesaid crime is registered on the basis of the FIR lodged by the victim Mrs. Suvarna Manohar Ladhepatil. The sum and substance of her allegation is that her daughter who was about 8 years old was suffering from a mental ailment and, therefore, she took her to the applicant who was alleged to have knowledge of removing supernatural powers. The complainant has stated that she was having acquaintance with the applicant and, therefore, she requested herself to the applicant to cure the mental

ailment of her daughter. On 22nd November 2014, after allegedly treating her daughter, the applicant herein forced the complainant to have physical relationship with him. On subsequent occasions also, the applicant by administering threats committed forcible intercourse on the victim. In the premise, she lodged the aforesaid F.I.R.

2] Learned Counsel for the applicant submits that the incident dated 22nd November 2014 was not disclosed by the victim to her husband immediately thereafter. The statement of the husband of the victim discloses that he returned from his native place on 25th November 2014. However, the victim Suvarna disclosed the incident to him on 6th January 2015, when she herself found that she was pregnant. The statement of other three witnesses which are at page Nos. 87 to 89 appear to be hearsay in nature.

3] The applicant is in jail since his arrest on 6th January 2015. In view of the above, I am inclined to release the applicant on bail.

4] Hence the following order:-

- (i) The applicant be released on bail on his furnishing the P.R.Bond of Rs.50,000/- with one or two solvent sureties in the like amount.
- (ii) The applicant shall attend the Ganeshpuri Police station on first Monday of each month after his release from jail till the conclusion of trial;
- (iii) The applicant shall not tamper with and/or influence the prosecution witnesses;
- (iv) Applicant is allowed in the aforesaid terms:

(A.S.GADKARI, J)