

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

ANTICIPATORY BAIL APPLICATION NO. 1375 OF 2015

Mr. Sanjay Shivaji Mane ... Applicant.

V/s.

The State of Maharashtra ... Respondent.

Mr. R. V. Bansode, Advocate for the Applicant.

Smt. P. Shinde, A.P.P. for the Respondent - State.

CORAM : REVATI MOHITE DERE, J.

DATE : 15th SEPTEMBER, 2015

P.C. :

1 Heard the learned counsel for the applicant and the learned APP for the State.

2 By this application, the applicant seeks pre-arrest bail in connection with C.R. No. 201 of 2015 registered with the Warje Malwadi Police Station, Pune for the alleged offence punishable under Section 307 r/w. section 34 of the Indian Penal Code.

3 The complainant is one Pandurang Shrimant Didwagh, who is the maternal uncle of the injured girl, Manisha. He has alleged that on 12th July, 2015 at about 9.40 am. he received a phone call, informing him that his niece Manisha was attacked by a boy (the applicant) and that she was admitted in the Shaswat Hospital at Kothrud. He has stated that he visited the said hospital and found that Manisha

had sustained injuries on her shoulder, neck and hand. It is alleged in the complaint that Manisha had disclosed to him, that the applicant, who is the brother-in-law of her sister, was pressuring her for marriage and when she refused to marry him, he assaulted her.

4 Learned counsel for the applicant states that the applicant and the victim girl were known to each other and would frequently go out together. He has relied on certain photographs in support of his submission. He further submits that pursuant to the assault by the applicant on Manisha, the applicant went to the second floor of the building and tried to commit suicide by jumping down. He submits that in the said incident, the applicant sustained serious injuries i.e. fractures of the right neck femur and mandible. He submits that the applicant is immobile and is hospitalized. He submits that for the said act of the applicant i.e. for attempting suicide, an FIR has been lodged against him by police constable - Subhash Shinde with the Warje Malwadi Police Station, alleging an offence punishable under Section 309 of the Indian Penal Code. The said FIR is registered as C.R. No. 202 of 2015 with the said police station.

5 Although, prima facie, there is sufficient material to show that the applicant had assaulted the victim girl Manisha; it appears that subsequently the applicant also tried to commit

suicide and has received serious injuries in the said act, rendering him immobile.

6 Considering the peculiar facts and circumstances of the case, the applicant is granted pre-arrest bail on the following terms and conditions :

ORDER

(i) In the event of the arrest, the applicant be enlarged on bail on furnishing P.R. Bond in the sum of Rs.10,000/- with one or two sureties in the like amount ;

(ii) The applicant shall not contact the complainant or injured or any other witness concerned with the said case.

(iii) If there is a breach of this condition, the prosecution will be at liberty to seek cancellation of the applicant's bail.

7 The application is disposed of in the above terms.

All concerned to act on the authenticated copy of this order.

(REVATI MOHITE DERE, J.)

CERTIFICATE

*Certified to be true and correct copy of the original
signed order.*
