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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO.1542 OF 2015**

Dr.Sandip Pundalik Sutar

...Applicant

Versus

The State of Maharashtra

...Respondent

Mr.S.P.Dighe, for the Applicant

Mr.S.H.Yadav, A.P.P for the Respondent-State

PSI – S.A.Belhekar, Sarkarwada Police Station, Nashik City.

CORAM : REVATI MOHITE DERE, J.

DATE : 19th OCTOBER, 2015

1. Heard learned Counsel for the applicant and the learned A.P.P.
2. By this application, the applicant seeks pre-arrest bail in connection with C.R. No. I-189 of 2015 registered with the Sarkarwada Police Station, Nashik, for the alleged offences punishable under Sections 354, 186, 504, 506 r/w 34 of the Indian Penal Code.
3. According to the complainant the incident had taken place on 14th June, 2015 at about 11.30 p.m., when she had visited the General Ward of the Hospital as a Nurse. She has alleged that accused no.1 – Amit

Chavan and the present applicant came to the spot and that accused no.1 – Amit Chavan took a photograph of the complainant when she bent down to do the dressing of the patient. The present applicant is alleged to have abused her in filthy language.

4. Learned Counsel for the Applicant submitted that the allegations as against the present applicant is not of outraging the modesty of the complainant but of abusing the complainant in filthy language.

5. Learned APP states that the accused no.1 – Amit Chavan was arrested and has been subsequently enlarged on bail. He does not dispute the fact that there are no allegations of Section 354 of the Indian Penal Code as against the applicant. He submits that the allegations are only of abusing the complainant in filthy language.

6. Considering the nature of allegations and the fact that there are no allegations of Section 354 of the Indian Penal Code, qua the present applicant, 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.15,000/- with one or two sureties in the like amount ;

(ii) The applicant shall attend the concerned Police Station on 28th and 29th October, 2015 between 10.00 a.m. to 12.00 noon;

(iii) The applicant shall not tamper or attempt to influence the complainant, witnesses or any person concerned with the case.

7. The Application is allowed in the aforesaid terms and is accordingly disposed of.

8. It is made clear that the observations made herein are *prima facie* and are confined to this application and the learned Judge to decide the case on its own merits, uninfluenced by the observations made herein.

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

REVATI MOHITE DERE, J.