

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE – CRIMINAL
BAIL APPLICATION NO.2752 OF 2014

Mr. Agnal Silvada Fernandis ... Applicant

Vs

The State of Maharashtra ... Respondent

Ms Anjali Patil for the Applicant

Mrs. A.A. Mane, APP, for the Respondent -State.

Mr. Vikas Raut, PSI, Parksite Police Station, present.

CORAM: P.D. KODE, J.

DATED: FEBRUARY 9, 2015.

PC:

Heard. The prayer for bail is objected by learned APP on the ground that involvement of the Applicant being borne regarding commission of heinous offence with regard to the girl of age eight years old. It is submitted that there is every danger of the Applicant committing similar type of offence, as something seems to be inherently wrong with him.

2. Ms Anjali Patil, learned counsel for the Applicant has pressed the prayer for bail by submitting that Applicant will undergo medical treatment and submit the report regarding commencement of such a treatment within 15 days from today. It

is submitted that investigation is complete and the Applicant is ready to abide any condition which would be imposed by the Court. In the said premises and the offences for which the Applicant is charge-sheeted are not exclusively punishable with death and /or imprisonment for life and the investigation being complete the discretion deserves to be exercised in favour of grant of bail and in view of learned counsel for the Applicant having submitted that the Applicant will take necessary medical treatment.

3. Resultantly, the application is allowed. The Applicant is directed to be released on bail in C.R. No.311 of 2014 registered with Park Site Police Station, on furnishing P.R. Bond in the sum of Rs.30,000/- (Rupees Thirty Thousand only) with one surety and subject to conditions that after his release the Applicant shall (i) get examined himself from competent Doctor and shall take necessary medical treatment and submit the papers of the same to this Court ;(ii) attend the I.O. on every Monday until further orders in between 11.00 to 12.00 p.m. (iii) not indulge in activity of entering the school precinct on which the incident has taken place nor shall indulge in any activity of tampering threatening, coercing, intimidating, pressurising or coming into contact with the victim

girl and / or her parents and /or other prosecution witnesses; and
(iv) not misuse the bail granted vide this order for fleeing away or
for committing any further offence.

4. The application accordingly stands disposed of.

(P.D. KODE, J.)