

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

4 CRIMINAL APPLICATION NO. 4435 OF 2016

ABHIJIT S/O BAJIRAO KAVADE

VERSUS

THE STATE OF MAHARASHTRA

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Mr. S.T.Shelke, Advocate for Applicant.

Mr. S.B.Yawalkar, A.P.P. for Resp. – State.

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CORAM : A.M.BADAR, J.

DATE : 27th SEPTEMBER, 2016

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PER COURT :

1. The applicant/accused in Crime No. 198/2016 registered at Sangamner City police station, Sangamner, Dist. Ahmednagar for the offences punishable u/ss 354-D, 306, 506, 511 of the Indian Penal Code by this application is praying for releasing him on bail after filing of the charge sheet.

2. Heard the learned counsel for the applicant/accused. He submitted that no offence punishable u/s 306 of the Indian Penal Code is made out, as the alleged victim, who attempted to commit suicide has survived. He further argued that no offence is registered against the alleged

victim for her attempt. The learned counsel submitted that the investigation of the crime in question is over and, therefore, further pre-trial detention of the applicant is not warranted.

3. The learned A.P.P. opposed the application.

4. Perused the charge sheet. According to the prosecution case, as the applicant/accused was attempting to outrage the modesty of the victim girl, she attempted to commit suicide, but that attempt was unsuccessful.

5. Considering the nature of averments against the present applicant, who also appears to be a young person, I see no reason to deny the bail. Hence, the following order.

(i) The application is allowed.

(ii) The applicant Abhijit s/o Bajirao Kavade in Crime No. 198/2016 registered at Sangamner City police station, Sangamner, Dist. Ahmednagar for the offences punishable u/ss 354-D,306,506,511 of the Indian Penal Code be released on bail on executing P.R. Bond of Rs. 15,000/- [Rupees Fifteen Thousand] and on furnishing surety in the like amount.

(iii) As a condition of this Order, the applicant shall not extend any threat, inducement or promise to the persons acquainted with the facts of the accusation so as to dissuade

them from disclosing the same either to the police or the Court.

(iv) The applicant shall not tamper the evidence of the prosecution.

[A.M.BADAR, J.]

KNP/Cr.Apln. 4435.2016