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

CRIMINAL BAIL APPLICATION NO.2587 OF 2019

Ramveer Ramrup Choudhary @Gupta @Varma	...Applicant
Versus	
State of Maharashtra	...Respondent

Mr.Datta Mane, for the Applicant.

Mr. P.H.Gaikwad-Patil, A.P.P for the Respondent - State.

CORAM : REVATI MOHITE DERE, J.

DATE : 20th SEPTEMBER, 2019

P.C. :

1. Heard learned counsel for the parties.
2. By this application, the Applicant seeks his enlargement on bail in connection with C.R.No.4620 of 2018 registered with the Borivali Railway Police Station, Mumbai, for the alleged offences punishable under Sections 324 and 326A of the Indian Penal Code.
3. Perused the papers. According to the complainant, the incident took place on 29th November, 2018 at about 5.00 p.m., when she had reached platform no.5 of the Borivali Railway Police Station. The

complainant has alleged that when she was walking on the pedestrian bridge, she found that some sticky and hot substance had fallen on her, thrown by some unknown person. Pursuant thereto, a complaint was lodged as against an unknown person. During the course of investigation, the applicant was arrested. It appears that the applicant would throw instant adhesive on ladies, for fun, to watch their action. It appears there are similar cases registered as against the applicant for similar acts. In Bail Application No.1700 of 2019, this Court (Coram:Revati Mohite Dere, J.) enlarged the applicant on bail, as the applicant was suffering from a mental illness i.e. 'Acute Psychotic Episode'.

4. Learned counsel for the Applicant has tendered an Affidavit of the Applicant's parents – Ramroop Verma and Darshana Verma. The same is taken on record. In the said Affidavit it is stated that their son is suffering from "Acute Psychotic Episode". It is further stated in the said Affidavit that after the Applicant's release on bail, the Applicant will live with his mother's sisters husband at C/o. Kamal Niwas, Bhattipada Road, Bhandup (W), Mumbai – 400 078. The Applicant's parents have also undertaken to ensure that the Applicant does not threaten any witness in the case or tamper with the prosecution witness and that he does not commit similar offence in future.

5. Learned APP does not dispute the mental condition of the Applicant.

6. The Applicant is in custody since 18.01.2019. Investigation is complete and charge-sheet is filed.

7. Having regard to the aforesaid as well as the affidavit filed by the applicant's parents and the mental condition of the applicant, the Application is allowed on the following terms & conditions :-

O R D E R

(i) The Applicant be released on cash bail in the sum of Rs. 10,000/-, for a period of six weeks;

(ii) The Applicant shall within the said period of six weeks, furnish P. R. Bond in the sum of Rs. 10,000/- with one or two sureties in the like amount;

(iii) The Applicant shall report to the investigating officer of the concerned police station on the first Monday of every month between 10.00 a. m. till the framing of the charge;

(iv) The Applicant shall not tamper with the evidence or attempt to

influence or contact the complainant, witnesses or any person concerned with the case and shall not commit similar offence;

(v) The Applicant shall inform his latest place of residence and mobile contact number immediately after being released and/or change of residence or mobile details, if any, from time to time to the Court seized of the matter and to the Investigating Officer of the concerned Police Station;

(vi) The Applicant shall not leave Mumbai / Thane without the prior permission of the trial Court;

(vii) The Applicant shall file an undertaking with regard to Clauses (ii) to (vi) in the trial Court, within two weeks of his release;

(viii) If there are two consecutive defaults either in attending the police station or in appearing before the trial Court, or breach of any of the aforesaid conditions, the prosecution shall be at liberty to seek cancellation of the Applicant's bail.

8. The Application is allowed and disposed of in above terms.

9. It is made clear, that the observations made herein are *prima facie*, and the trial Court shall decide the case on its own merits, in accordance with law, uninfluenced by the observations made in this order.
10. All concerned to act on the authenticated copy of this order.

REVATI MOHITE DERE, J.