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

CRIMINAL BAIL APPLICATION NO.2809 OF 2019

Akash Satendra Narula

...Applicant

Versus

State of Maharashtra

...Respondent

Mr. S.B.Manikhedkar, for the Applicant.

Ms. Veera Shinde, A.P.P for the Respondent - State.

PSI – M.D.Khanwilkar, Malad Police Station, Mumbai, is present.

CORAM : REVATI MOHITE DERE, J.

DATE : 15th OCTOBER, 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.385 of 2019 registered with the Malad Police Station, Mumbai, for the alleged offences punishable under Sections 353, 332 and 504 of the Indian Penal Code.
3. Perused the papers. According to the complainant – Police Constable, Shrikant Shinde, he was on duty on 17th September, 2019 with one W.P.C. - Poonam Nanavre, when he received a call from the police control room that the applicant was assaulting his sister in Flat No.705,

Flowmingo Building, 'A' Wing, Patel Marg, Near Bhujali Talav, Malad (West), Mumbai. Pursuant to the said information, the complainant and W.P.C. - Poonam went to the said spot. On making enquiry, they learnt that the applicant was creating nuisance by breaking articles in the house and was assaulting his sister. The complainant and W.P.C. - Poonam tried to control the applicant, however, the applicant is alleged to have abused them and assaulted them with kick blows.

4. Learned Counsel for the Applicant states that the applicant is suffering from mental depression and hence was being taken to a psychiatrist on the day of the incident, pursuant to which, he got enraged. He submits that the applicant is aged 20 years and requires help by a psychiatrist. He submits that even whilst in jail the applicant had become violent and was sent to the Hospital. Learned Counsel for the applicant has tendered an Affidavit of the Applicant's parents. The same is taken on record. In the said Affidavit it is stated that their son is suffering from mental disorder and if enlarged on bail, they undertake to take care of him and to look after him and his mental health.

5. The Applicant is in custody since September, 2019. Investigation is complete and charge-sheet is filed.

6. Having regard to what is stated aforesaid, 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 co-operate in the conduct of the trial.

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

8. 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.

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

REVATI MOHITE DERE, J.