

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

CRIMINAL BAIL APPLICATION NO. 1751 OF 2022

Manish Bapurao Shinde ...Applicant
Versus
State Of Maharashtra ...Respondent

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Mr. Sanjeev P. Kadam a/w Mr. Pratik P. Deshmukh i/by Mr. Prashant P. Raul, Advocate for the Applicant.

Mr. A. A. Palkar, APP for the Respondent – State.

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CORAM : PRAKASH D. NAIK, J.
DATE : 7th OCTOBER, 2022.

PER COURT:

1. This is an application for bail in C.R. No.30 of 2022 registered with Khadak Police Station, Dist.Pune for offences punishable under Sections 420, 354-A, 506 r/w Section 34 of Indian Penal Code (for short “IPC”) and Section 3 of The Maharashtra Prevention and Eradication of Human Sacrifice and other Inhuman, Evil and Aghori Practices and Black Magic Act, 2013 (for short “the said Act”) r/w Section 39, 45 of the Maharashtra Money-Lending (Regulation) Act, 2014.

2. The case of the prosecution is that the mother of first informant was ailing. She was advised that one Raju Khanna does black magic which could recover her mother from illness. The

complainant visited the house of said person. She was hypnotized. Some rituals were performed. She was told that she will have to spend money. From time to time she parted amount to the tune of Rs.50,30,000/-. The role attributed to the applicant is that he was accompanying the accused No.1 while the amount was handed over to accused No.1. It is also alleged that the applicant was involved in outraging the modesty of the complainant.

3. Learned Advocate Mr. Kadam appearing for the applicant submitted that the applicant is not involved in cheating the complainant. Section 420 is not attributed in this case. The Aghori Practices in violation of the said Act were attributed to the co-accused. Section 354-A is bailable in nature. The applicant is in custody from 12.02.2022.

4. Learned APP submitted that the applicant had acted in connivance with the co-accused. He used to accompany main accused. Role has been attributed to the applicant.

5. It is noted that the applicant has not been attributed any role of practicing the black magic or any other acts violating the provisions of the Maharashtra Prevention and Eradication of Human Sacrifice and other Inhuman, Evil and Aghori Practices and Black Magic Act, 2013. He is in custody for substantial period of

time. Charge-sheet is filed. Further detention of the applicant is not necessary. Hence, I pass the following order:

ORDER

- i. Criminal Bail Application No.1751 of 2022 is allowed;
- ii. The applicant is directed to be released on bail in connection with C.R. No. 30 of 2022 registered with Khadak Police Station, Pune on executing P.R. Bond in the sum of Rs.20,000/- with one or more sureties in the like amount;
- iii. The applicant is permitted to furnish cash bail in the sum of Rs.20,000/- for a period of eight weeks in lieu of surety.
- iv. The applicant shall report concerned Police Station once in three months on first Saturday of the month between 11:00 a.m. to 1:00 p.m. till further orders;
- v. Application stands disposed of accordingly.

(PRAKASH D. NAIK, J.)