

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

CRIMINAL APPLICATION (BA) NO.1197 OF 2021

Vilas s/o Sitaram Thakare

Vs.

State of Maharashtra Through Police Station Officer, Washim (City) Tq. Distt. Washim

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Mr. Raju Kadu, Advocate for applicant.

Mr. I. J. Damle, APP for non-applicant/State.

CORAM : AVINASH G. GHAROTE, J.

DATE : 07/01/2022

Heard Mr. Kadu, learned counsel for the applicant and Mr. Damle, learned APP for the non-applicant/State.

2. In Crime No.1228 of 2021 registered with Police Station, Washim, for the offences punishable under Sections 315, 419, 511 read with 34 of the Indian Penal Code and Sections 3, 4 and 5 of the Medical Termination of Pregnancy Act, 1971 and Section 33 of the Maharashtra Medical Practitioner Act, the applicant has been arraigned as an accused No.2. By an interim order dated 16.12.2021, the interim bail has already been granted to the applicant. The limited role ascribed to the applicant, is that he was found running with a bag which upon search was found to contain medicines relating to abortion. Apart from this, no other role is attributed to the applicant. The accused No.1 Dr. Saraskar, who was running the hospital has already been enlarged on bail by

this Court by the order dated 09.12.2021 in Criminal Application (BA) No. 1183 of 2021 and so also another person Dr. Vinod Nirgude, who was arrayed as accused No.3 has also been released on anticipatory bail in Criminal Application (ABA) No.798 of 2021 by order dated 17.12.2021. The role of the applicant, is minuscule in relation to the said offences as indicated above and as the aforesaid two persons, who were the main accused, have already been granted bail and anticipatory bail respectively, I do not see any reason to continue incarceration of the applicant. Considering which, the application is allowed.

3. The order dated 16.12.2021, by which the applicant was granted interim bail, is hereby made absolute, on the condition that the applicant shall not tamper with the prosecution witnesses and shall make himself available in the trial.

JUDGE

Sarkate