

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

21 BAIL APPLICATION NO.2154 OF 2022
WITH APPLN/77/2023 IN BA/2154/2022

PRASAD ANIL MAHAMINE
VERSUS
THE STATE OF MAHARASHTRA

...

Advocate for Applicant : Ms. Sonawane Sunita G.
APP for Respondent-State : Mr. S. P. Sonpawale.
Advocate for Complainant to assist APP : Mr. Dighe P. S.

...

CORAM : S. G. MEHARE, J.
DATE : 20.02.2023

PER COURT :-

1. Heard the learned counsel for the applicant and the learned APP for the respondent-State. Learned counsel for the complainant was also heard on last date.

2. The applicant is seeking a temporary bail for one month as his mother is suffering from cancer and under treatment. He wants to provide some assistance to his mother as there was no male member in his family. On the last date, learned counsel Mr. Dighe for the complainant has strongly raised an objection that an incorrect statement has been made that the mother of the applicant is suffering from cancer. Today, the learned counsel for the applicant produced certificates that his

mother is suffering from cancer. The certificates placed on record and mark at Exh.”A”, “B” and “C”. Therefore, there appears no substance in the objection raised by the learned counsel Mr. Dighe for the complainant.

3. In the facts and circumstances of the case, if a temporary bail for a period of one month is granted, the State or the complainant would not suffer a loss. The applicant has a good case for temporary bail. Hence, the following order :

ORDER

- (i) Bail Application is allowed.
- (ii) Applicant **PRASAD ANIL MAHAMINE** be released on **temporary bail** for a period of one (1) month from the date of his release on furnishing P.B. and S.B. of Rs.50,000/- (Rupees Fifty Thousand only) with one solvent surety of the like amount, in Crime No.2095 of 2020, registered by Police Station Shrirampur, District Ahmednagar, for the offences punishable under Sections 376(n), 376(d), 385, 386, 420, 323, 120-B, 506 read with Section 34 of the IPC.

- (iii) During his temporary bail, he shall not tamper with the prosecution witnesses and promptly surrender before the Jail Authority after one (1) month is over.
- (iv) It is made clear that for any other reason, no time to surrender, would be extended.
- (v) Criminal application No.77 of 2023 to assist the learned APP is allowed.

(S. G. MEHARE, J.)

...

vmk/-