



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

BAIL APPLICATION NO.1540 OF 2023

SACHIN JANARDHAN MOHITE

..APPLICANT

VS.

THE STATE OF MAHARASHTRA

..RESPONDENT

Adv. Aniket Nikam a/w. Adv. Aashish Satpute for the
applicant.

Mr. P. H. Gaikwad, APP for the State.

PI Rajendra D. Tendulkar, Neral Police Station.

CORAM : M. S. KARNIK, J.

DATE : AUGUST 28, 2023.

P.C. :

1. Heard learned counsel for the applicant and learned
APP for the State.

2. This is an application for bail in respect of the offence
punishable under Sections 498-A, 304-B, 306 read with 34 of
the Indian Penal Code (hereafter 'IPC' for short) registered
vide First Information Report (FIR) No.300/2022 with Neral
Police Station.

3. The date of the marriage was 16/3/2021. The incident
took place on 7/10/2022. In all there are five accused. The
applicant is the husband of the deceased. There are

allegations against the accused. Rest of the accused are enlarged on bail.

4. So far as the present applicant is concerned, it is alleged that the applicant was harassing the deceased. In fact, there is an allegation that from the earnings that the deceased got during a 'bhajan' program, she did not hand over the money to the applicant.

5. Having regard to the accusations, it is seen that there are allegations of ill-treatment and harassment. Whether these accusations are sufficient to constitute the offence under Section 306 of the IPC, will be a subject matter of trial. The investigation is complete. The charge-sheet has been filed.

6. There are no criminal antecedents reported against the applicant. The applicant does not appear to be a flight risk. The applicant is in custody from 9/10/2022, almost for a period of 10 months with no possibility of trial concluding any time soon.

7. Learned APP submitted that the C. A. report is yet to be received. It is open for the prosecution to decide the further course on the basis of the C. A. report. Hence, the

following order :-

ORDER

- (a) The application is allowed.

 - (b) The applicant- Sachin Janardhan Mohite in connection with FIR No.300/2022 with Neral Police Station, shall be released on bail on his furnishing P.R. Bond of Rs.25,000/- with one or more sureties in the like amount.

 - (c) The applicant shall attend the Investigating Officer of Neral police station once in a month every first Monday of the month between 11.00 a.m. and 1.00 p.m.

 - (d) The applicant shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing the facts to Court or any Police Officer. The applicant shall not tamper with evidence.

 - (e) On being released on bail, the applicant shall furnish his contact number and residential address to the Investigating Officer and shall keep him updated, in case there is any change.
8. The application is disposed of.

(M. S. KARNIK, J.)