



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

BAIL APPLICATION NO. 1889 OF 2023

NILESH CHANDRAKANT PATIL

..APPLICANT

VS.

THE STATE OF MAHARASHTRA

..RESPONDENT

Adv. Ammar I. Nizami for the Applicant.
Ms. Rutuja Ambekar, APP for the State.

CORAM : M. S. KARNIK, J.

DATE : AUGUST 31, 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, 306 read with 34 of the Indian Penal Code (hereafter 'IPC' for short) registered vide C.R. No.I-560/2022 with Bhiwandi Taluka Police Station, Bhiwandi.
- 3.** The applicant is the husband of the deceased. The applicant was arrested on 6/11/2022. There are general allegations of harassment made against the applicant and his parents. Other co-accused have been enlarged on bail.

As to whether the accusations of harassment are sufficient to make out an offence punishable under Section 306 of the IPC, will depend on the evidence adduced at the stage of trial.

4. The investigation is complete. The charge-sheet has been filed. Further incarceration of the applicant will be a pre-trial punishment. The applicant is already in custody for a period of 9 months with no possibility of the trial concluding any time soon. The applicant will face the consequences of the trial. There are no criminal antecedents reported against the applicant. The applicant does not appear to be a flight risk. Hence, the following order :-

ORDER

- (a) The application is allowed.
- (b) The applicant- Nilesh Chandrakant Patil in connection with C.R. No.I-560/2022 with Bhiwandi Taluka Police Station, Bhiwandi, 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 report to the concerned police

station once in two months i.e. on first Monday of every alternate month between 11.00 a.m. and 1.00 p.m. commencing from September, 2023.

(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.

5. The application is disposed of.

(M. S. KARNIK, J.)