



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

**BAIL APPLICATION NO. 3242 OF 2023**

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| JAMUNAPRASAD SONELAL RAI | ..APPLICANT  |
| VS.                      |              |
| THE STATE OF MAHARASHTRA | ..RESPONDENT |

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Mr. Naveen Chomal for the Applicant.

Ms. Rutuja Ambekar, APP for the State.  
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**CORAM : M. S. KARNIK, J.**

**DATE : DECEMBER 20, 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 302, 326A, 307, 115, 504, 506 of the Indian Penal Code registered on 13/01/2023 vide C.R. No.32 of 2023 with L.T. Marg Police Station, Mumbai.
- 3.** The applicant is the accused No.2. It is the case of the prosecution that accused No.1 - Mahesh was in live-in-relationship with the deceased. Accused No.1 was often demanding money from the deceased. Accused No.1 was

addicted to alcohol. One day prior to the incident i.e. 10/01/2023, accused No.1 was driven out of her home by the deceased. She refused to give him money. Accused No.1 got annoyed with this. On the date of the incident i.e. on 13/01/2023, accused No.1 poured acid on the face and body of the deceased. The deceased succumbed to the burn injuries.

**4.** So far as the applicant is concerned, it is alleged that the applicant who is accused No.2 herein, helped accused No.1 procure the acid. Learned APP while opposing the application submitted that the applicant must be aware for what purpose the acid is required by accused No.1. She submits that there are materials on record which show that the applicant helped accused No.1 procure the acid. There is a conversation on record between the applicant and accused No.1.

**5.** There is a statement of a witness on record who says that the accused No.1 informed the shopkeeper of the shop from where the acid was purchased, that the acid was required by the applicant for the purpose of cleaning the

drainage. *Prima facie*, the materials on record do not indicate that the applicant was in any way aware for what purpose the acid was required by the accused No.1. The applicant is working as a plumber and hence it is submitted by learned counsel that he needs acid for cleaning drain pipes.

**6.** The applicant was arrested on 14/01/2023 and is in custody for 11 months as an undertrial. The investigation is complete and the charge sheet is filed. There are no criminal antecedents reported against the applicant. In the facts and circumstances of the present case, I am inclined to enlarge the applicant on bail. Hence, the following order :-

### **ORDER**

- (a) The application is allowed.
- (b) The applicant- Jamunaprasad Sonelal Rai in connection with C.R. No. 32 of 2023 registered with L.T. Marg 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 is permitted to furnish cash bail surety in the sum of Rs. 25,000/- for a period of 6

weeks in lieu of surety.

(d) The applicant shall report to the Investigating Officer of L.T. Marg police station once in three months, i.e. the first Monday of the concerned month, between 11.00 a.m. and 1.00 p.m. commencing January 2024.

(e) 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.

(f) 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.

(g) The applicant shall attend the trial regularly. The applicant shall co-operate with the trial Court and shall not seek unnecessary adjournments.

(h) The applicant shall surrender his passport to the investigating officer. If the applicant does not have a passport, the applicant shall file an affidavit before the trial Court to that effect.

**7.** The application is disposed of.

**(M. S. KARNIK, J.)**