

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
BAIL APPLICATION NO. 3888 OF 2022**

Vishal Chandrakant Nevase ...Applicant

Versus

The State of Maharashtra ...Respondent

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Mr. Rahul Kate for the Applicant.
Mr. Amit Palkar, APP for the State.

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CORAM : N.R. BORKAR, J.
DATED : 23 JANUARY 2023

P.C. :-

This is an application filed under Section 439 of Code of Criminal Procedure for bail.

2. The applicant came to be arrested in Crime No. 81 of 2022 registered at Malegaon police station for the offences punishable under Sections 498-A, 323, 313, 504, 506 read with 34 of the Indian Penal Code.

3. I have heard the learned counsel for the applicant and the learned APP for the respondent-State.

4. The complainant, who is the wife of the present applicant has alleged that she was subjected to cruelty and was made to abort her pregnancy.

5. I have perused the statement of witness- Ajinkya. It appears from his statement that the abortion was done with the consent of the complainant. The applicant is in jail for more than two months. Considering the overall facts and circumstances of the case, I am inclined to release the applicant on bail. Hence, the following order is passed:

- (i) Application is allowed.
- (ii) The applicant shall be released on bail in Crime No. 81 of 2022 registered at Malegaon police station for the offences punishable under Sections 498-A, 323, 313, 504, 506 read with 34 of the Indian Penal Code on furnishing PR bond in the sum of Rs. 15,000/- with one surety in the like amount.

(N.R. BORKAR, J.)