



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

936 BAIL APPLICATION NO. 1622 OF 2024

GANESH SONAJI SAVANDKAR

VERSUS

THE STATE OF MAHARASHTRA

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Advocate for Applicant : Mr. Ghanekar Nilesh S.

APP for Respondent/s-State : Mr. A. S. Shinde.

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CORAM : S. G. MEHARE, J.

DATE : 15.10.2024

PER COURT :-

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

2. The applicant seeks bail in Crime No.34 of 2024, registered with Waluj Police Station, District Aurangabad, for the offences punishable under Sections 5 of Medical Termination of Pregnancy Act and Sections 23, 25, 3(a) of Pre-Conception and Pre-Natal Diagnostic Techniques (PCPNDT) Act.

3. It has been alleged against the applicant that he is B.H.M.S. Doctor and he was supplying the medicine to the another co-accused for illegal termination of pregnancy.

4. The learned counsel for the applicant would submit that there is no direct evidence of his actual involvement in illegal termination of pregnancy. Considering the allegations levelled against him, there is nothing on record to believe that he had purchased such a bulk quantity of medicine. Therefore, only on the basis of the sole statement of the co-accused, he cannot be detained in jail. In fact, he has no role to play. He being a medical practitioner, many people know him. For want of *prima facie* evidence to connect him with the crime, he may be granted bail.

5. Learned APP has gone through the bulky charge sheet. However, he could not explain the source of the medicine purchased by the applicant. However, the medicine was recovered from one activa vehicle. The applicant is a medical practitioner. The investigation was not done about the source of medicine. Probably, he might have purchased it for his profession. There are no allegations of his actual participation in the illegal termination of pregnancy. The investigation has been completed. Nothing is to be recovered from him. Hence, the following order :

ORDER

- (i) Bail Application is allowed.

(ii) Applicant **GANESH SONAJI SAVANDKAR** be released on bail on furnishing PB. and S.B. of Rs.50,000/- (Rupees Fifty Thousand only) with one solvent surety of like amount, on the following conditions :

- (a) The applicant should not tamper with the prosecution witnesses.
- (b) He should attend the trial on each and every effective date.
- (c) He should not contact the other co-accused till the trial is concluded.

(S. G. MEHARE, J.)

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vmk/-