



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

932 ANTICIPATORY BAIL APPLICATION NO. 1529 OF 2024

NITIN SATISH MUNGASE

VERSUS

THE STATE OF MAHARASHTRA AND ANOTHER

...

Advocate for Applicant : Mr. Wakure Sanjay A

APP for Respondent 1/State : Mrs. M.L. Sangit

Advocate for Respondent 2 : Mrs. Shilpa Aurangabadkar

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CORAM : ARUN R. PEDNEKER, J.

Dated : November 19, 2024

PER COURT :-

1. Heard the learned counsel for the applicant, the learned APP for the respondent-State and Mrs. Shilpa Aurangabadkar, who is assisting APP.
2. The applicant is apprehending arrest in connection with Crime No. 205/2024 dated 2.3.2024 registered at Shahada Police Station, District Nandurbar, for the offences punishable under sections 305, 363, 366, 376 (2)(f), 376 (2)(n) r/w. 34 of I.P.C. and under sections 6 and 8 of the Protection of Children from Sexual Offences Act.
3. The learned counsel for the applicant has pointed out page No. 116 of the application i.e. the letter dated 7.3.2024 issued by the doctor to the Police Inspector of Shahada Police Station wherein it is informed that the parents of the deceased had brought the deceased to the hospital for treatment. In the said letter, the doctor has opined that there is incomplete abortion of the deceased and further cleaning process needs to be undertaken. The parents had taken the deceased back by saying that they would ask the in-laws of the deceased i.e. parents of the applicant and will return back. The learned counsel also submits that there is delay in filing

the FIR i.e. there is 9 months delay in filing FIR as regard the offence under section 366 of IPC is concerned and there is 15 days delay as regards the offence under section 376 of I.P.C. and other offences are concerned.

4. The learned APP has produced the suicide note of the deceased wherein the deceased has held the applicant responsible for her suicide. The learned APP submits that at the relevant time the deceased was minor and her age was 17 years and 5 months and she was pregnant of 8 months on account of relations with the present applicant.

5. In view of the above, no case is made out for anticipatory bail. The investigation is yet to be completed. Hence, the application is rejected.

6. The fees of Rs.10,000/- be paid to Mrs. Shilpa Aurangabadkar, learned counsel appointed for the complainant by the High Court Legal Services Sub Committee, Aurangabad.

7. It is also clarified that the observations made in this order are limited to the disposal of the present anticipatory bail application and the trial Court shall proceed further in the matter without being influenced by the observations made hereinabove.

8. The application stands disposed of.

(ARUN R. PEDNEKER, J.)

ssc/