

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL BAIL APPLICATION NO.1344 OF 2023

Omkar Jagdish Nagaonkar

Applicant

versus

The State of Maharashtra

Respondent

Mr.Satyavrat Joshi i/by Mr.Samay Pawar, Advocate for Applicant.
Ms.Supriya Kak, APP, for State.

CORAM : ANIL S.KILOR, J.

DATE : 10th July 2024

PC :

1. Heard.

2. By this application under Section 439 of the Code of Criminal Procedure the applicant is seeking bail in Crime No.4 of 2023 registered with Gokul Shirgaon Police Station, District Kolhapur, for the offences punishable under Sections 354A, 375B, 376, 506, 511 of the Indian Penal Code.

3. Considering the charge sheet and material collected by the Investigating Officer during investigation it is evident that Applicant misbehaved with the victim and asked for sexual favour. Applicant is in jail from last one and half years and considering the nature of allegations and the nature of material collected by the Investigating Officer during investigation, since charge sheet has been filed, I am of the opinion that further custody of Applicant is not necessary, particularly when the Applicant is ready to abide by any condition imposed while granting bail including condition not to enter Kolhapur and Pune cities where the victim is taking education.

4. Learned APP and learned counsel for Respondent no.2 strongly opposed the application. Since I have already observed that further custody of the Applicant is not necessary and he is ready to abide by the condition of not to enter Kolhapur City and Pune City till conclusion of trial, I am of the opinion that Applicant is entitled for grant of bail.

ORDER

- (i) Bail Application is allowed and disposed off;
- (ii) It is directed that the applicant shall be released on bail in Crime No.4 of 2023 registered with Gokul Shirgaon Police Station, District Kolhapur, for the offences punishable under Sections 354A, 375B, 376, 506, 511 of the Indian Penal Code on furnishing PR.Bond of Rupees Twenty Five Thousand with one solvent surety in the like amount;
- (iii) The Applicant shall not enter into territorial jurisdiction of Kolhapur City and Pune City till conclusion of trial, except for trial;
- (iv) The Applicant shall provide his address and name of nearby Police Station to the Investigating Officer and attend said Police Station on 1st of every month between 10.00 a.m and 11.00 am, except on the date of trial, till conclusion of trial;
- (v) The applicant shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case, as also not tamper with the evidence;
- (vi) Liberty is granted to the State for cancellation of bail if the

applicant commits similar offence or commits breach of any condition;

(vii) The applicant shall attend the trial before the Trial Court regularly on every date unless exempted by the trial Court for any reason.

(ANIL S.KILOR, J.)

MST