

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

BAIL APPLICATION NO. 282 OF 2024

Vaibhav Vilas Gorane

.Applicant

Versus

The State of Maharashtra

.Respondent

Mr. Vivekanand Vinod Krishnan, Advocate, for the Applicant.
Mr. Sameer M. Mangaonkar, APP, for the Respondent – State.
Mr. B. R. Aher, P.S.I., Wavi Police Station, Nashik (Rural),
present.

CORAM: MADHAV J. JAMDAR, J.

DATE: 26.02.2024

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1. Heard Mr. Krishnan, learned Counsel appearing for the Applicant and Mr. Mangaonkar, learned APP appearing for the Respondent-State.

2. This regular Bail Application is preferred under Section 439 of the *Code of Criminal Procedure, 1973*. The relevant details are as follows:-

1.	C. R. No.	348 of 2023
2.	Date of registration of F.I.R.	22.08.2023
3.	Name of Police Station	Wavi Police Station, Taluka – Sinnar, District - Nashik
4.	Sections invoked	305, 306, 452, 323, 500, 504, 506 r/w. 34 of the I.P.C., 1860
5.	Date of incident	20.08.2023

6.	Date of arrest	22.08.2023
7.	Date of filing of Charge-sheet	21.11.2023

3. As per the prosecution case, the victim, who was a minor, died by suicide, leaving behind a suicide note. In the said suicide note, she has written that the Applicant was not behaving with the deceased properly. In the said suicide note, it has also written that the Applicant has also misbehaved with one Ms. Mayuri.

4. Mr. Krishnan, learned Counsel appearing for the Applicant submitted that the Applicant is aged 18 years and that he is a student. He submitted that Charge-sheet has been filed and investigation is complete. He further submitted that if the Applicant is not released on bail then his education will be hampered. He submitted that the Applicant's father is ill. He pointed out the statement of said Mayuri whose name is also mentioned in the suicide note. However, said Mayuri has not supported the case of the prosecution. He further submitted that considering the medical condition of the Applicant's father as well as that the Applicant's education will be hampered and he is a young man aged 18 years, the Applicant may be released on bail.

5. On the other hand, Mr. Mangaonkar, learned APP appearing for the Respondent – State vehemently opposed the

Bail Application and submitted that the Applicant was harassing the victim therefore, she took the extreme step of suicide.

6. A perusal of the record shows that the incident has taken place on 20.08.2023. F.I.R. has been lodged on 22.08.2023. The Applicant was apprehended on 22.08.2023. Investigation is complete. Charge-sheet has been filed on 21.11.2023. As per the prosecution case, there are about 21 witnesses proposed to be examined by the prosecution. The trial is likely to take a considerably long time.

7. Mr. Krishnan, learned Counsel appearing for the Applicant stated that as several witnesses are residing in the same locality as that of the Applicant, the Applicant will therefore not reside within District - Nashik and that the Applicant will reside at residence of Mr. Balasaheb Shivram Sable, R/o. Korhale, Taluka - Rahata, District - Ahmednagar.

8. The Applicant does not appear to be at risk of flight.

9. Accordingly, the Applicant can be enlarged on bail by imposing conditions. In view thereof, the following order:-

ORDER

(a) The Applicant - Vaibhav Vilas Gorane be released on bail in connection with C. R. No.348 of 2023 registered with the - Wavi Police Station, Taluka - Sinnar, District - Nashik on his

furnishing P. R. Bond of Rs.25,000/- with one or two solvent local sureties in the like amount.

(b) The Applicant shall not enter the Nashik district after being released on bail, except for reporting to the Investigating Officer, if called and for attending the trial.

(c) On being released on bail, the Applicant shall furnish his cell phone number and residential address to the Investigating Officer and shall keep the same updated, in case of any change thereto.

(d) The Applicant shall report to the Rahata Police Station, Taluka - Rahata, District - Ahmednagar once every week, on every Sunday between 11.00 a.m. and 1.00 p.m. till the conclusion of the trial. The Police Inspector of Rahata Police Station, Taluka - Rahata, District - Ahmednagar to communicate details thereof to the Investigating Officer.

(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 such a person from disclosing the facts to the Court or to any Police personnel.

(f) The Applicant shall not tamper with the prosecution evidence and shall not contact or influence the Complainant or any witness in any manner.

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

(h) The Applicant shall surrender his passport, if any, to the Investigating Officer.

10. The Bail Application is disposed of accordingly.

11. It is clarified that the observations made herein are *prima facie*, and the trial Court shall decide the case on its own merits, uninfluenced by the observations made in this order.

[MADHAV J. JAMDAR, J.]