

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

CRIMINAL BAIL APPLICATION NO. 720 OF 2024

Somnath Ramchandra Jodbote ...Applicant
Versus
The State Of Maharashtra ...Respondent

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Mr. Sachin Bhavar, Advocate for Applicant in BA/720/2024.

Mrs. Geeta Mulekar, APP for the Respondent – State.

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CORAM : ANIL S. KILOR, J.
DATE : 18th JUNE, 2024.

P.C.:

1. Heard.
2. By this application under Section 439 of the Code of Criminal Procedure the applicant is seeking bail in Crime No.586 of 2023, registered with Barshi City Police Station, District: Solapur (Rural) for the offences punishable under Sections 313, 315, 316 of Indian Penal Code (for short 'IPC'), Sections 4, 5(2)(3)(4), 6(c) of Pre-Conception and Pre-Natal Diagnostic Techniques Act, 1994 and under Sections 2(d), 4(b), 5(2) of Medical Termination of Pregnancy Act, 1971.
3. In the present matter, the allegation against the Applicant is that he is involved in providing the medicines used for the

purpose of termination of pregnancy and abortion. The Applicant is in jail from about last one year and during this period, the investigation is completed and the charge-sheet has been filed. Considering the nature of evidence collected by the Investigating Officer in the present matter and the role attributed to the Applicant, I am of the opinion that the application needs to be allowed. Accordingly, the application is allowed, though the learned APP has strongly opposed the application.

ORDER

- i. Criminal Bail Application No. 720 of 2024 is allowed;
- ii. It is directed that the Applicant shall be released on bail in Crime No.586 of 2023, registered with Barshi City Police Station, District: Solapur (Rural) for the offences punishable under Sections 313, 315, 316 IPC, Sections 4, 5(2)(3)(4), 6(c) of Pre-Conception and Pre-Natal Diagnostic Techniques Act, 1994 and under Sections 2(d), 4(b), 5(2) of Medical Termination of Pregnancy Act, 1971, on furnishing P.R. Bond of Rupees Twenty Five Thousand with one solvent surety in the like amount;

- iii. The Applicant shall attend the Police Station on every 1st and 16th day of month between 11:00 am to 12:00 noon till conclusion of trial;
- iv. 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;
- v. Liberty is granted to the State for cancellation of bail if the Applicant commits similar offence;
- vi. The Applicant shall attend the trial before the Trial Court regularly on every date unless exempted by the Trial Court for any reason.
- vii. Application stands disposed off, accordingly.

(ANIL S. KILOR, J.)