

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL BAIL APPLICATION NO.2124 of 2024

Pratik Dilip Shinde, Age 28 years,
Occ.Service, R/o.Kandpatil, Lane no.5,
Dehugaon, Tal.Haveli, Dist.Pune.
(Presently in Yerwada Central Prison)

Applicant

versus

1. The State of Maharashtra
2. X.Y.Z.

Respondents

Ms.Shubhangi Parulekar, Advocate for Applicant.
Mr.shamrao B.Gore for Respondent no.2 appointed by Legal Aid.
Mrs.Ashwini Takalkar, APP, for State.

CORAM : ANIL S.KILOR, J.

DATE : 8th October 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.47 of 2024 registered with Dehuroad Police Station, District Pune, for the offences punishable under Sections 376(2)(N), 506(2) of Indian Penal Code.

3. The victim is a married woman having two children lodged the complaint against Applicant that on many occasions he established physical relations with her by giving threats to her.

4. The charge sheet has been filed after completion of investigation. The Applicant is in jail from last about nine months. Considering the nature of allegations and the evidence collected by

the Investigating Officer, furthermore the fact that charge sheet is filed, I am of the opinion that further custody of the Applicant is not necessary. In the circumstances though learned APP is strongly opposing the application, I pass following order :

ORDER

- (i) Bail Application is allowed and disposed off;
- (ii) It is directed that the applicant shall be released on bail in Crime No.47 of 2024 registered with Dehuroad Police Station, District Pune, for the offences punishable under Sections 376(2)(N), 506(2) of Indian Penal Code on furnishing P.R. Bond of Rupees Twenty Five Thousand with one solvent surety in the like amount;
- (iii) The Applicant shall not enter into territorial jurisdiction of Dehuroad Police Station, District Pune, 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 and 16th day of every month between 10.00 a.m and 11.00 a.m till conclusion of trial, except on the date of trial;
- (v) The applicant shall not directly or indirectly make any inducement, threat or promise to the victim or any person acquainted with the facts of the case, as also not tamper with the evidence;
- (vi) The Applicant shall not directly or indirectly contact the victim or her family members for any reason;
- (vii) Liberty is granted to the State to apply for cancellation of bail if the applicant misuses the liberty granted or commits breach of any condition;

(viii) 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