

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL BAIL APPLICATION NO.2680 OF 2024

Devidas Babulal Chavan, Age 61 years,
Occ.Labourer, R/o.Ravalgav Road,
Indiranagar Ajang, Wadel, Malegaon, Nashik.
(Presently at Nashik Central Jail).

Applicant

versus

The State of Maharashtra

Respondent

Ms.Keral Mehta, Advocate for Applicant.
Mr.Pankaj P.Deokar, APP, for State.

CORAM : ANIL S.KILOR, J.

DATE : 17th 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.2 of 2024 registered with Abhona Police Station, Nashik Rural, for the offences punishable under Sections 354, 376, 114, 201, 323, 504, 506 of Indian Penal Code.
3. Applicant is the father-in-law of the informant and from the charge sheet and the material collected by the Investigating Officer during investigation it is evident that there is some matrimonial discord and out of that certain serious allegations have been made against Applicant by the informant, daughter-in-law. It has stated in the complaint by the informant that initially her husband was not accepting that Applicant tried to molest her and therefore she

recorded a video through hidden mobile camera. However, on a specific query to the learned APP whether such video was recovered and panchanama was prepared of same and whether transcript of the same is available, it was informed that a pen drive is seized. Furthermore he states that he is unable to make any statement as regards contents available in the said pen drive.

4. In the above referred backdrop, if the age of the Applicant is considered who is aged 61 years and further the fact that he is in custody from last about 10 months, I am of the opinion that further custody of Applicant is not required. Hence, 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.2 of 2024 registered with Abhona Police Station, Nashik Rural, for the offences punishable under Sections 354, 376, 114, 201, 323, 504, 506 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 attend Abhona Police Station, Nashik Rural, on 1st of every month between 10.00 a.m and 11.00 a.m till conclusion of trial, except on the date 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 breaches any condition or misuses the liberty or 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.

(ANIL S.KILOR, J.)

MST