

Mandar Manoj Kulkarni and Others ...Applicants
vs.
The State of Maharashtra ...Respondent

CORAM: N. J. JAMADAR, J.
DATE: FEBRUARY 29, 2024

1. Heard the learned counsel for the applicant and the learned APP for the State.
2. The applicant shall implead the first informant as party respondent.
3. Necessary amendment be carried out forthwith.
4. Issue notice to the respondents.
5. Learned APP waives notice to respondent No. 1.
6. Mr. Pawar, learned counsel waives notice to the first informant/respondent No. 2.
7. This application is preferred seeking pre-arrest bail in connection with C.R. No. 873 of 2023 registered at Baramati police station for the offences punishable under sections 376(2)(n), 327, 323, 504, 506 and 294(b) read with 34 of Indian penal Code, 1860.

8. The learned counsel for the applicant invited attention of the Court to the order dated 14th December, 2023 whereby this Court has granted interim bail to Dattatray Sonawane, the principal accused, against whom the allegations were primarily made in the FIR. The first informant has allegedly implicated the applicant in the supplementary statement which was recorded on 13th November, 2023.

9. While granting pre arrest bail this Court had considered the statement of the victim recorded under section 164 of the Code including the assertion that the principal accused and his friends including the applicant had abducted her in a four wheeler and the principal accused and his friends had sexually exploited her. By ascribing reasons this Court was persuaded to grant interim protection.

10. The applicant deserves the same dispensation.

11. In the event of arrest in C.R. No. 873 of 2023 registered with Baramati police station, the applicant be released on bail on furnishing a P.R. bond in the sum of Rs.30,000/- with one or two sureties in the like amount.

12. The applicant shall cooperate with the investigation and attend Baramati police station, on 6th, 7th and 8th March, 2024 in between 10 am to 1 pm and, thereafter, as and when directed.

13. The applicant shall not tamper with the prosecution evidence and give threat or inducement to first informant, any of the prosecution witnesses or any person acquainted with the facts of the case.

14. Stand over to 11th March, 2024.

15. To be listed along with ABA No. 3508 of 2023.

(N. J. JAMADAR, J.)