

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO. 2416 OF 2024

Rohan Milind Gulavani

...Applicant

Versus

The State of Maharashtra

...Respondent

- Mr. Aditya Raktade (Through V.C.) a/w Mr. Anup Kamble, for Applicant.
- Mr. Mayur S. Sonavane, APP for Respondent.

CORAM : MANISH PITALE, J.

DATE : 10th SEPTEMBER, 2024.

P. C. :

1. Heard, Mr. Aditya Raktade, learned counsel for the applicant and Mr. Sonavane, learned APP for respondent – State.

2. The applicant has approached this Court apprehending arrest in connection with First Information Report No.0369 of 2024, dated 18.05.2024, registered at Police Station Karveer, District Kolhapur, for offences under Sections 354-A, 509, 506 and 504 of the Indian Penal Code (IPC).

3. The Sessions Court rejected the anticipatory bail application of the applicant by order dated 05.08.2024.

4. It is to be noted that all the aforementioned offences registered against the applicant are bailable. This aspect appears to have completely

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escaped the attention of the Sessions Court while rejecting the application of the applicant. It is also relevant to note that the Sessions Court itself considered documents, which *prima facie*, indicates that the applicant is suffering from schizophrenia as also mental and behavioural disorder. Yet, the Sessions Court proceeded to reject the application of the applicant.

5. Without wasting much time in such a case, this Court is inclined to allow the present application. Hence, the application is allowed in the following terms :

- (A) In the event the applicant is arrested in connection with FIR No.0369 of 2024, dated 18.05.2024, registered at Police Station Karveer, District Kolhapur, he shall be released on bail on furnishing PR Bond of ₹ 10,000/- with one or two sureties in the like amount, to the satisfaction of the Trial Court.
- (B) The applicant shall cooperate with the investigation.
- (C) The applicant shall not tamper with the evidence in any manner. He shall not influence the informant, witnesses or any other persons concerned with the case.

6. Needless to say, violation of any of the aforesaid conditions would make the applicant liable to face proceedings for cancellation of anticipatory

bail.

7. It is also clarified that the observations made in this order are limited to the question of grant of anticipatory bail to the applicant in the present application and that the Trial Court shall proceed further, without being influenced by the observations made in this order.

8. The application is disposed of.

(MANISH PITALE, J.)