

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

ANTICIPATORY BAIL APPLICATION NO. 180 OF 2025

Irfan Mainuddin Khan	...Applicant
Versus	
The State of Maharashtra	...Respondent

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Ms. Kusum Pandey a/w Mr. Abhishek Dubey, Advocate for the Applicant.

Mr. S. V. Walve, A.P.P. for the Respondent – State.

Mr. Sambhaji Munde (PSI), Pelhar Police Station, Palghar, present.

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CORAM	:	N. R. BORKAR, J.
DATE	:	21st JANUARY, 2025.

P.C.:

1. This is an application for anticipatory bail.
2. The applicant is apprehending his arrest in Crime No.215 of 2024 registered at Pelhar Police Station, Palghar for the offences punishable under Sections 304, 316 read with 34 of Indian Penal Code, 1860.
3. On the date of incident which took place on 16.01.2024, the complainant was admitted in Zoya Hospital, Nalasopara as she was pregnant. The present applicant was

the RMO of the said hospital. The allegations are that delivery of the complainant was conducted by the nurses working in the hospital, who are co-accused in the present crime, which resulted in death of foetus.

4. I have heard the learned counsel for the applicant and the learned counsel for the Respondent-State.

5. Admittedly, the applicant was not present in hospital at the relevant time. The main allegations are against the other co-accused. The prosecution has already filed the charge-sheet. In that view of the matter, I am inclined to release the applicant on anticipatory bail. In the result the following order is passed :

ORDER

- (i) Anticipatory Bail Application is allowed;
- (ii) In the event of arrest of the applicant in connection with Crime No.215 of 2024 registered at Pelhar Police Station, Palghar for the offences punishable under Sections 304, 316 read with 34 of Indian Penal Code, 1860, he be released on bail on furnishing P. R. Bond in the sum of Rs.25,000/- with one or two sureties in the like amount;,,

(iii) The applicant shall attend the concerned Police Station as and when called by the Investigating Officer and shall co-operate in the Investigation.

(iv) Anticipatory Bail Application stands disposed of accordingly.

(N. R. BORKAR, J.)