



S.C. 387/2021
CNR MHPU01007287-2016
CR No. 33/2016 Alankar PS,
Pune

Sanjay Anant Mohol ..vs.. State

ORDER BELOW EXH.70

1] This is the interim bail application under Section 439 of Cr. P.C. for releasing the accused Sanjay Mohol on the ground that his presence in the family is required to look after his ailing son Abhishek. As per the application, Abhishek is suffering from significant decrease in his metabolic activity leading to cancer like situation in his left femur. He was treated in Indrani hospital on 27.07.2021. Nobody is there to look after Abhishek. Therefore, the applicant be released on humanitarian ground temporarily at least for 4 to 6 months. He is ready to abide by each and every condition that may be imposed by this court.

2] The bail application is opposed by the prosecution by filing say on this application itself on the ground that the previous 4 applications of this accused are already rejected by this court on merit. The offence is serious. The prosecution examined 2 witnesses and the accused delayed the trial on one pretext or other.

3] Heard both sides at length and perused the charge-sheet carefully. On perusal of the charge-sheet it becomes clear that the offence alleged against the accused is very serious and it was a brutal murder of the victim upon whom 27 blows of sharp weapon appears to have been inflicted. This is one thing. Secondly, even during argument learned counsel for the applicant disclosed that Abhishek

is discharged from the hospital though he is taking to hospital time and again for treatment. The learned APP invited my attention to the police statement of wife of the applicant Sangita attached to his say. From that police statement it becomes clear that the health of the son of the applicant is now better and there are other adult family members to take care of this ailing son and they are her brother-in-law, father in law and her adult daughter. Taking into account all these things on record and the nature of offence, I hold that it is not a fit case to exercise discretion for granting interim bail.

4] The judgment of **Mangesh Sham Satpute ..vs.. State of Maharashtra – delivered by the Hon'ble Bombay High Court on 04.09.2021 in CR BA 470/2020**, which is relied upon by the applicant, is not applicable here in as much as in that case the mother of the applicant accused was on death bed. No such situation is present in this case. Therefore, this ruling is not applicable here.

Hence, I pass the following order :-

ORDER

Application for temporary bail of Sanjay Anant Mohol filed in connection with CR No. 33/2016 of Alankar Police station, Pune, is rejected.

Pune

(S.B. Hedao),

Date - 26th October 2021

Additional Sessions Judge, Pune

CERTIFICATE

I affirm that the contents of the PDF file Judgment are same word for word as per original Judgment.

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|-----------------------|---|
| Name of Steno | Mrs. S.M. Khisti Stenographer Grade I |
| Name of Court | Shri. S.B. Hedao, District Judge 6 and ASJ, Pune. |
| Date of Order | 26.10.2021 |
| Order signed by PO on | 26.10.2021 |
| Order uploaded on | 27.10.2021 |