

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

Criminal Application No. 1152 Of 2015.

RAJENDRA @ JANARDHAN @(RAVINDRA) SOPAN JAGTAP &
OTHERS.

VERSUS

THE STATE Of MAHARASHTRA.

Appearance =>

Mr. Babasaheb Wagh, Advocate for the Applicants.

Mrs. V.A. Shinde, Additional Public Prosecutor for the State of Maharashtra.

CORAM : V.M. DESHPANDE, J.

DATE : 17th MARCH, 2015.

Per Court :-

Present Criminal Application is filed by the applicants for grant of anticipatory bail, since they are apprehending arrest in connection with CR No. 36/2015 registered with Police Station, Shrirampur (City), Dist. Ahmednagar for the offences punishable U/Section.s. 436 read with 34 of the Indian Penal Code.

[2] During the pendency of present Application, Applicant No.1 - Rajendra @ Janardhan @ Ravindra Sopan Jagtap and Applicant No.3 – Sagar Subhash Jagtap both have surrendered before the police authority. In that view of the matter, their Application has rendered infructuous and accordingly, Criminal Application filed by

Applicant No.1 Rajendra @ Janardhan @ Ravindra Sopan Jagtap and Applicant No.3 – Sagar Subhash Jagtap for grant of anticipatory bail is hereby rejected, as infructuous.

[6] First Information Report is recorded on the basis of report lodged by one Madhav Nana Ingale. F.I.R. clearly shows that the First Informant is not eye-witness to the incident. Further on the basis of information transmitted to him by one Kishor Waykar, First Information Report is filed.

[4] Mrs. V.A. Shinde, learned Additional Public Prosecutor submitted that, even from the Police papers, it is clear that, there are no eye witness in the present Crime. Thus, first informant has taken the names of present Applicants' on the basis of suspicion. According to the learned Additional Public Prosecutor for the State, there was quarrel amongst the present Applicants and the First Informant. However, the date on which that quarrel occurred, is not available in the police papers. In that view of the matter, merely on the basis of suspicion, liberty of citizen cannot be at stake. Hence, applicants have made out a case in their favour for anticipatory bail. Hence, I pass the following order :-

ORDER

(i) Criminal Application filed by Applicant No.1 Rajendra @ Janardhan @ Ravindra Sopan Jagtap and Applicant No.3 – Sagar Subhash Jagtap for grant of anticipatory bail is hereby rejected, as infructuous.

(ii) In the event of arrest, Applicant No.2 – Sopan Kondaji Jagtap and Applicant No.4 – Subhash Vitthal Jagtap shall be released on bail on they executing PR. Bond of Rs. 5,000/- [Rs. Five Thousand] each with one solvent surety in the like amount, in connection with CR No. 36/2015 registered with Police Station, Shrirampur (City), Dist. Ahmednagar for the offences punishable U/Section.s. 436 read with 34 of the Indian Penal Code.

(ii) Criminal Application is disposed of.

(V.M. DESHPANDE, J.)