

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY.
BENCH AT AURANGABAD.
Criminal Appellate Jurisdiction.**

CRIMINAL APPLICATION NO. 2632 OF 2015.

JIBHAU S/O DAGA CHAVAN & ORS.

VERSUS

THE STATE OF MAHARASHTRA

Appearance =>

Mr. Balbhim R. Kedar, Advocate for the Applicants.

Mr. A.S. Shinde, Additional Public Prosecutor for the State of Maharashtra.

CORAM : VM. Deshpande, J.

DATE : 16th June, 2015.

Per Court :-

Present Criminal Application is filed by the applicants for grant of anticipatory bail, since they are apprehending their arrest.

[2] Initially First Information Report dated 16th February, 2013 (CR No.21/2013) was filed against present applicants by Bhaidas Nago Koli with Police Station, Sindhkheda, District – Dhule for the offences punishable under Section/s 420, 467, 468, 469, 470 read with 34 of the Indian Penal Code.

The Investigating Officer, after completion of entire investigation filed “B” summary before the learned Judicial Magistrate, F.C., Sindhkheda on 27th June, 2013 vide “B” summary

No.3/13. Said “B” summary was not accepted by the learned Magistrate. In that view of the matter, the applicants are having perception that they will be arrested, therefore, they filed application for anticipatory bail before the learned Sessions Judge, Dhule which was rejected, thereby, giving cause to them to approach before this court.

[3] The learned Additional Public Prosecutor has fairly stated that, after completion of the entire investigation, “B” summary was filed however, since same is rejected, the matter is proceeding further.

[4] In view of the said fact and looking to the nature of the accusation made, it is clear that dispute is of civil nature. In that view of the matter, custody of present applicants is not at all necessary. That leads me to pass the following order :-

ORDER

(i) Criminal Application is allowed.

(ii) Interim bail granted by Hon'ble Vacation Judge of this Court (Coram : V.K. Jadhav, J.) dated 19th May, 2015 stands confirmed.

(iii) With this Criminal Application is allowed and same is disposed of accordingly.

(V.M. DESHPANDE, J.)