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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

CRIMINAL APPLICATION NO.5162 OF 2015

Rahul s/o Rajiv Divekar ..APPLICANT

VERSUS

The State of Maharashtra ..RESPONDENT

Mr A.P. Avhad, Advocate for applicant;
Mrs M.A. Deshpande, A.P.P. for respondent

CORAM : N.W. SAMBRE, J.

DATE : 14th October, 2015

ORAL ORDER :

Heard.

2. By the present application, the applicant is seeking pre-arrest bail, in connection with C.R. No.I-51 of 2015. registered with Topkhana police station, Ahmednagar, for offences punishable under sections 498-A, 323, 504, 506 read with sec. 34 of the Indian Penal Code.

3. Learned Counsel appearing on behalf of the applicant, while trying to make out a case for grant of pre-arrest bail, would urge that all the members of the family of the applicant are implicated in the crime in question. He would further urge that the marriage took place on 7th August, 2009 and the last incident of cruelty, even if, taken to be true, is alleged to be of 20th December, 2014. According to him, there is no *mens rea* on the part of the applicant.

4. Learned Addl. Public Prosecutor, while opposing the application, would submit that there is prima facie involvement of the applicant in the

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commission of crime and the investigation is at advanced stage. According to her, there are witnesses implicating the applicant in the crime in question. In view thereof, in my opinion, it will be inappropriate to grant pre-arrest bail to the applicant.

5. In the result, Criminal Application stands rejected.

(N.W. SAMBRE, J.)

amj