

IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO.1420 OF 2015

|                           |     |            |
|---------------------------|-----|------------|
| Pramod Bhalchandra Ingale | ... | Applicant  |
| Vs.                       |     |            |
| The State of Maharashtra  | ... | Respondent |

Mr. V. V. Purwant, Adv. i/b. Mr. Sachin H Deokar, Adv. for applicant.  
Mrs. G. P. Mulekar, APP for the State.

**CORAM : SMT ANUJA PRABHUDESSAI, J.**  
**DATE : 7<sup>th</sup> December, 2015.**

**P.C. :**

1. This is an application for anticipatory bail filed by the aforesaid applicant apprehending his arrest in Crime No.223 of 2015, registered at Foujdar Chavdi Police Station, Solapur for the offences punishable under Sections 341, 392, 323 and 504 read with 34 of the IPC.

2. Mr. Purwant, the learned counsel for the applicant has submitted that the FIR does not prima facie reveal the involvement of the applicant in the said crime. He, therefore, submits that the applicant is entitled for bail.

3. Mrs. Mulekar, the learned APP for the State has submitted

that the applicant is involved in the said crime. The applicant had threatened the complainant. She further states that the applicant is having criminal antecedents and is involved in committing serious crimes. Hence the applicant is not entitled for bail.

4. I have perused the records and considered the submissions advanced by the learned counsels for the respective parties. The records prima facie reveal that the complaint was lodged by one Dhaval Ratilal Shah, who is a tenant of one Chilka alleging that on 8<sup>th</sup> December, 2011, the applicant herein had threatened him to vacate the property. The complainant had further stated that on 19<sup>th</sup> July, 2015 he was assaulted by one Pramod Ingle, who is alleged to be the brother of the applicant herein. The complainant has further stated that the said Pramod Ingale had snatched the key of his motorcycle and had also taken away the amount of Rs.8,000/-.

5. The FIR does not prima facie reveal that the applicant herein was involved in the said incident dated 19<sup>th</sup> July, 2015. Hence the applicant cannot be declined the bail merely because of the previous threats in respect of which no complaint was lodged. Furthermore, the criminal antecedents, cannot *per se* be a ground for

rejecting the bail application.

6. In the circumstances, the application is allowed on the following terms.

1. In the event of arrest of the applicant in Crime No.223 of 2015 registered at Foujdar Chavdi Police Station, Solapur, the applicant shall be released on bail bond of Rs.15,000/( Rupees Fifteen Thousand Only) with one or two sureties in the like amount to the satisfaction of the JMFC, Solapur.
2. The applicant shall report to investigating officer for 4 days from 10 am to 1 pm and further as and when required by the investigating officer for the purpose of the interrogation.
3. The applicant shall not tamper with the evidence or influence complainant and witnesses in any manner.

( ANUJA PRABHUDESSAI, J. )