

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO.562 OF 2015

Shri Vivekanand Vishnu Bade & Ors. ... Applicants

Vs.

The State of Maharashtra ... Respondent

Mr.Prakash Naik i/b V.V. Salunke for the Applicants
Mr.J.H. Ramugade, APP, for Respondent – State

CORAM: **MRS.MRIDULA BHATKAR, J.**

DATE: **APRIL 27, 2015**

P.C.:

1. This application is made for interim bail as the main application i.e., Bail application No.1357 of 2015, for pre-arrest bail under section 438, is pending before the Additional Sessions Judge, Pune, as the learned Judge did not grant any interim relief in the said application. The applicant No.1 is the husband, applicant No.2 is the father-in-law, applicant No.3 is the mother-in-law, applicant No.4 is the brother in law and the applicant No.5 is a colleague and friend of applicant/accused No.1.

2. The applicants/accused are facing charges under sections 498A, 406, 307, 325, 323, 504, 506 r/w 34 of the Indian Penal Code. The allegations are serious in the FIR.

3. The learned Counsel for the applicants/accused has submitted that the said main application is fixed for hearing before the learned additional Sessions Judge on 30.4.2015. It is a concocted case and submitted that the family members of the complainant are practising advocates. He prays for interim protection for a limited period.

4. The learned Prosecutor is opposing this application. On instructions, he submits since the main application itself is fixed on 30.4.2015, no interim relief be granted.

5. On perusal of the FIR and considering the submissions of the learned Counsel for the applicants/accused as the matter is already fixed on 30.4.2015 by the Sessions Court for final hearing, I grant interim relief to the applicants/accused Nos.2, 3, 4 and 5 till the application is finally decided by the additional Sessions Judge on the following terms:

- i) In the event of arrest, the applicants/accused Nos.2, 3, 4 and 5 shall be released on bail upon furnishing P.R. Bond in the sum of Rs.15,000/- each, with one or two sureties in the like amount;
- ii) The applicants shall not tamper with the evidence;
- iii) The applicants shall not indulge into any kind of offence while on bail;

- iv) The applicants shall cooperate with the Investigating Officer and attend the concerned police station on every Saturday, between 10 am to 12 noon.
- 6. If the learned Sessions Judge deems fit, he may refer this matter for mediation for which the complainant is to be made a party respondent and necessary steps may be taken accordingly.
- 7. Anticipatory Bail Application is disposed of accordingly.

(MRS.MRIDULA BHATKAR, J.)