

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO.903 OF 2015

Pavan Pyarelal Rajput (Nanavat)	
and Another	... Applicants
vs.	
The State of Maharashtra	... Respondent

Mr. Ganesh Bhujbal, for the Applicants.
Mrs. R.V. Newton, APP for Respondent – State.
Mr. D.S. Jadhav(PC), Alandi police station, Pune present.

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

DATE: **JULY 07, 2015**

P.C.:

. The application is moved for pre arrest bail as the applicants/accused are facing charges for the offences punishable under Section 436 read with 34 of the Indian Penal Code in C.R. No. 127 of 2014 registered with Alandi police station, Pune.

2. It is the case of the prosecution that the complainant Ganesh Rajput was residing along with his wife and maternal aunt and uncle. On 3rd December, 2014 at around 10 pm, he heard shouts

of his aunt and uncle who were sleeping under the tin shed outside the house. At that time, he found that the shed was burning and he saw that the applicants/accused were running away. Earlier there was a dispute between the applicants/accused and the complainant and his family members.

3. The learned counsel for the applicants/accused has submitted that the applicants/accused are ready to abide by the conditions imposed by the Court if pre arrest bail is granted. He further submitted that they are innocent and they have not committed any offence.

4. The learned prosecutor opposed the application. He relied on the police papers. He submitted that the applicants have criminal record. The offences under Bombay Liquor Prohibition Act are registered against them. They belongs to Kanjarbhat community.

5. Perused the first information report and the injury certificate. Some domestic articles got burnt in the fire. The applicants/accused belong to Kanjarbhat community. They are earlier

prosecuted for the offences under the Bombay Liquor Prohibition Act. In this case, the applicants are prosecuted for the offence of mischief by fire punishable under Section 436 of the Indian Penal Code. Considering these facts, I am inclined to grant pre arrest bail.

6. Hence, I grant anticipatory bail as under:

- a) In the event of arrest, the applicants/accused be enlarged on bail upon furnishing P. R. Bond in the sum of Rs. 20,000/- (Twenty Thousand) each with one or two solvent surety/s in the like amount;
- b) The applicants/accused shall cooperate with the investigating officer and shall attend the concerned police station once in a week on every Friday in between 6 pm to 7 pm till filing of the charge sheet.
- c) The applicants/accused shall not indulge in any other criminal activity or pressurize the complainant.

7. Anticipatory bail application stands disposed of on the above terms.

(MRS.MRIDULA BHATKAR, J.)