

*Ladda*FARAD CONTINUATION SHEET No.

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO. 344 OF 2016

Office Notes, Office Memorandum of Coram, appearances, Court's orders or directions and Registrar's orders	Court's or Judge's orders
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Mr Rajiv Patil, Senior Advocate a/with Tanmay Vispute for the applicants.
Smt. S.S.Kaushik, APP for the State.

Mr S.V.Kadam, H.C. Bhiwandi Taluka P.S.Thane (Rural) present.

CORAM : A.S.GADKARI, J.

DATE : 24th FEBRUARY, 2016

P.C.

1) The applicants are apprehending arrest in CR No. I-15 of 2016 dated 28.1.2016 registered with Bhiwandi Taluka Police Station, District Thane for the offence punishable under sections 436, 442, 461, 324, 143, 147, 148, 149, 504, 506 and 427 of the IPC.

2) The complainant Rakesh Ghatal has lodged the FIR on 28.1.2016 stating that there was a dispute between his family and the family members of the applicants over a plot of land situated at village Yewai, Taluka Bhiwandi. That on 26.1.2016 at about 11:30 a.m. the applicants along with other male members of their family came to the scene of offence, the male members firstly demolished the construction of the shop/Gala which was being carried out by the complainant.

Thereafter, they assaulted the workers of the complainant with wooden rod. That the accused persons namely Mahadeo Ghatal, Ambo Ghatal, Bharat Ghatal, Sainath Ghatal, Eknath Ghatal, Mukund Ghatal were armed with weapons and they firstly damaged the two motorcars and thereafter set on fire the property. After information to the police and fire brigade, the said fire was doused by the fire brigade. In the premise, the FIR is lodged.

3) I have perused the FIR and the documents annexed to the present application. The applicants are ladies and apart from the fact that they were present at the scene of offence, no overt act of any nature has been attributed to them. The investigation carried out so far also reveals that apart from their presence, the applicants herein did not indulge into any overt act at the time of commission of the said offence. In view of the same, I am of the opinion that the applicants have made out a case for grant of pre-arrest bail.

4) Hence, the following order :

ORDER:-

(a) In the event of arrest of the applicants, in CR No.I-2015 registered with Bhiwandi Taluka Police Station, they shall be released on bail on their furnishing a P.R. bond of Rs. 25,000/- each with one or two separate solvent sureties in the like amount;

(b) The applicants shall attend the Investigating

Officer from 29.2.2016 to 4.3.2016 between 11:00 a.m. to 1:00 p.m.

(c) The applicants shall thereafter attend the Investigating Officer as and when called for between 11:00 a.m. to 1:00 p.m. till the filing of the charge-sheet. It is needless to mention that before calling the applicants to the police station, the I.O. shall issue a notice under section 160 of Cr.P.C.

(d) The applicants shall not tamper with the evidence and/or influence the witnesses;

5) The application is allowed in the aforesaid terms;

(A.S. GADKARI, J.)