

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO. 1632 OF 2016

Vishwanath S/O. Harishankar Mishra

.....Applicant

V/s.

State of Maharashtra
(at the instance of Malad
Police Station)

.....Respondent

* * * * *

Mr. Akshay Gosavi a/w. Mr. Chaitanya A. Malgaonkar i/by. GMS
Legal, Advocate for the applicant.

Ms. Sharmila Kaushik, APP for the respondent, State.

API, Varsha Tawade, Malad Police Station present.

CORAM :- N.W. SAMBRE, J.

DATED :- 16th NOVEMBER, 2016.

P.C. :-

1). The applicant is seeking pre-arrest bail in Crime No. 259 of 2016 registered on 2nd June, 2016 for offences punishable under Sections 354, 506 Indian Penal Code.

2). The offence under Section 354 Indian Penal Code is bailable.

3). As far as offence under Section 506 Indian Penal Code is concerned, perusal of the FIR does not depict any probable story. Prima-facie, there appears to be dispute qua the property in question as regards the eviction. The Division Bench, on 27th October, 2016 in Criminal Writ Petition No. 3709 of 2016 has already directed not to file chargesheet in the present case.

4). In this background, the learned APP made a statement that custodial interrogation is not necessary. Hence, the application is allowed. In the event of arrest, the applicant be released on P.R. Bond of Rs.10,000/- with one surety in the like amount.

5). The applicant shall attend police station as and when called for.

6). The applicant shall not tamper with the evidence or witnesses in any manner whatsoever.

(N.W. SAMBRE, J)