

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE SIDE JURISDICTION
CRIMINAL ANTICIPATORY BAIL APPLICATION NO. 1731 OF 2016

Lakhan @ Laxman Sahebrao Wagh
V/s.

.....Applicant

The State of Maharashtra

....Respondent

Mr. Aniket U. Nikam i/b Mr. Aashish Satpute Advocate for Applicant.
Ms. Veera Shinde APP for the State.

CORAM : SMT. SADHANA S. JADHAV, J.
DATED : OCTOBER 15, 2016.

PC :

1) Heard. This is an application under section 438 of Code of Criminal Procedure, 1973. Applicant herein is apprehending his arrest in crime no. 410 of 2016 registered at Dehu police station for offence punishable under sections 395, 397, 323, 506, 504 of the Indian Penal Code and section 25 (3) 25 (4) Indian Arms Act.

2) It is the case of the prosecution that on 02/09/2016, Sagar Bhondve lodged a report at the police station alleging therein that on 01/09/2016, he was apprehended by some people in front of hotel Gunaji Dhaba. The said persons had come in India Car bearing no. MH 12 KN 3347. He had identified Anirudha Jadhav and 6 unknown persons who had accosted him.

There was an altercation between the complainant and the persons who had alighted from the car. It is alleged that Anirudha Jadhav and his brother had snatched bracelet from the complainant worth Rs. 1,10,000/-. The name of the applicant does not appear in the F.I.R., however, for the first time it is shown after 4 days i.e. in the remand report dated 06/09/2016.

3) *Prima facie* applicant deserves to be granted pre-arrest bail. However, it is made clear that observations made herein above are prima facie in nature and shall not be considered for quashing of F.I.R., discharge application or at the time of trial.

ORDER

- (i) Application is allowed.
- (ii) In the event of arrest, applicant be enlarged on bail on furnishing P.R. bond in the sum of Rs. 50,000/- with one or more solvent sureties in the like amount.
- (iii) Applicant shall report to the concerned police station on first Sunday of each month till filing of the charge-sheet.
- (iv) Application stands disposed of.

(SMT. SADHANA S. JADHAV, J.)