

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

ANTICIPATORY BAIL APPLICATION NO. 1921 OF 2015

Mr. Yunus R. Mujjawar	.. Applicant
Versus	
The State of Maharashtra	.. Respondent

Mr. U.P. Warunjikar Advocate for the Applicant.
Mr. A.S. Patil, A.P.P. for the Respondent - State.

CORAM : N.W. SAMBRE, J.

DATED : 17th NOVEMBER, 2016.

P.C. :

1 The applicant is seeking pre-arrest bail in Crime No.198 of 2015 for the offences punishable under sections 452, 363, 387, 504, 506(2) r/w. Section 34 of the I.P.C. and in Crime No.270 of 2015 for the offences punishable under sections 452, 506 r/w. Section 34 of the I.P.C.

2 Apart from unexplained delay in lodging F.I.R. prima facie it would be noticed that there is a civil dispute in relation to the partition of the property between the complainant and the applicant.

3 The fact remains that there is a Reg. Civil Suit No.487 of 2015 pending against the complainant. The other co-accused is already released on bail.

4 The learned A.P.P. expressed his inability in view of absence of Investigating Officer so as to assist him in canvassing the case further.

5 In this background as the applicant is already granted ad-interim protection since last about more than 8 months and having regard to the grievance narrated herein above in my opinion custodial interrogation is uncalled for as such the ad-interim order passed by this Court on 21.12.2015 is made absolute.

6 The applicant shall attend police station as and when called. The applicant be released on bail on executing PR. Bond of Rs.50,000/- with two solvent sureties in the like amount. The application is allowed in the above terms.

(N.W. SAMBRE, J.)