

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

CRIMINAL APPLICATION NO.2479 OF 2017

Satish s/o Govindrao Patil **... Applicant**
Age 49 years, Occu: Service,
R/o Hudco, Nanded
Taluka and District Nanded

VERSUS

The State of Maharashtra **... Respondent**

Mr. A. M. Gaikwad h/for Mr. Ashish B. Shinde,
Advocate for the applicant
Mr. P. N. Kutti, APP for the State.

CORAM : K. L. WADANE, J.

DATE : 8th June, 2017

ORDER:

1. Heard Mr. Gaikwad, the learned counsel for the applicant and Mr. Kutti, the learned APP for the State.

2. Present Criminal Application is filed for grant of anticipatory bail in connection with Crime No. 188/2017 registered with Nanded Rural Police Station, Dist. Nanded for the offences punishable under sections 363, 344, 365 of the Indian Penal Code, 1860.

3. Complainant Meera Giri filed a missing

report on 08.06.2016 with Nanded Rural Police Station Dist. Nanded bearing No.25/2016. On the basis of complaint, offence is registered against the present applicant bearing Crime No.188/2017 with Nanded Rural Police Station, Dist. Nanded subsequently, on 05.04.2017. The complainant alleged that on 26.05.2016, her husband Madhav Giri went to Satish Patil i.e. present applicant to discuss the matter in reference to the dispute with regard to landed property. Initially Madhav went to the house of mother of the complainant and stayed there and on 27th May, 2017, her husband went by saying that he is going to visit Satish Patil, however, he did not return. The complainant further stated in the FIR that the present applicant kidnapped her husband because of dispute about landed property.

4. On perusal of the papers of investigation, there is nothing on record to indicate that husband of the complainant in fact went to the house of the present applicant. There are no witnesses to that effect. Reference has to be made to the report dated 08.06.2016, wherein it is mentioned that on

27.05.2016, at about 10 a.m., Madhav went to the present applicant by Auto Ricksha and disclosed to the mother of the complainant that he was going to visit Satish Patil.

5. I have perused the statement of Rickshaw Driver. He has denied of having seen any such passenger. Even he do not know Madhav.

6. Learned counsel appearing for the applicant states that statement of the present applicant was recorded in missing complaint. The applicant is a in service as a Teacher and still in service in a school at Nanded. Looking to the facts and circumstance of the case, the applicant is available for the purpose of investigation. No incriminating circumstances are seen from the papers of investigation. In such circumstance, the applicant can be enlarged on pre-arrest bail by putting certain conditions. Hence following order:

O R D E R

- i. In the event of arrest of the applicant in connection with Crime No. 188/2017 registered

with Nanded Rural Police Station, Dist. Nanded, he shall be released on bail on his executing P.R. Bond of Rs. 15,000/- [Rs. Fifteen thousand only] with one solvent surety in the like amount.

ii. The applicant shall cooperate the Investigating Officer in further investigation.

7. Criminal application is disposed of.

(K. L. WADANE, J.)

JPC