

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

Uttam s/o Somnath Pattekar ... Applicant

The State of Maharashtra ... Respondent

CRIMINAL APPLICATION NO. 3488 OF 2017

AND

CRIMINAL APPLICATION NO. 3489 OF 2017

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Mr. M.V.Salunke, advocate for the applicant

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CORAM : K.L.WADANE, J.

ORDER :

Heard Mr. Salunke, learned counsel for the applicants and Mr. Borulkar, learned A.P.P. for respondent in all the Applications.

2. On perusal of the first information report/complaint, it appears that one Shrihari

Adgale lodged complaint to the police station alleging that he has one daughter namely Sonu aged 14 years. On 13.5.2017 at about 6.00 a.m. informant noticed that his daughter disappeared from the house. Therefore, informant and his family members took search, however, daughter was not traced. On inquiry in the village, informant came to know that accused namely Akash Kamble was also disappeared from his house, and therefore, he came to know that present accused persons along with other accused have kidnapped his daughter.

3. I have perused the papers of investigation particularly report of the investigating officer. On perusal of the same, it appears that since the day of incident all the four accused are absconding. So also, the victim is also not traced. Therefore, the investigating officer is unable to record statement of prosecutrix.

4. Looking to the above aspect, it appears that since all the accused persons are absconding, the investigation becomes stale.

5. The above observations are prima facie in

nature and the learned Sessions Judge shall not be influenced with the same at the time of trial.

6. In view of above, the applicants are not entitled for anticipatory bail. Hence, all the Criminal Applications are rejected.

(K.L.WADANE, J.)

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