

Nalawade

FARAD CONTINUATION SHEET No.

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO. 125 OF 2017
Girish Mohanlal Jain vs. State of Maharashtra

Office Notes, Office Memorandum of Coram, appearances, Court's orders or directions and Registrar's orders	Court's or Judge's orders
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Mr. Vijay Upadhyay for the Applicant.

Mrs. Jyoti Lohokare, APP. for the Respondent-State.

CORAM :A.S.GADKARI, J.

DATE : 10th April, 2017

P.C.

1) The applicant is apprehending arrest in CR No.435/2016 dated 22.10.2016 registered with Amboli Police Station, Mumbai under Section 354, 509, 504, 506 read with 34 of the Indian Penal Code.

2) The first information is lodged by Smt. Anuradha Singh Rana. It is the allegation of the complainant that there was some financial disputes between Smt. Anuradha Singh and the daughter of co-accused Mr. Amansingh namely Ms. Rakhi over the payment of tuition fees to the complainant. It is the allegation of the complainant that on 22.10.2016 the applicant along with Mr. Amansingh had been to the office of the complainant. That, the applicant pushed the complainant from back side and thereafter co accused Amansingh has committed the alleged act as contemplated under Section 354 of the Indian Penal Code.

3) A bare perusal of the first information report would reveal that there is no allegation against the applicant as far as

offence under Section 354 is concerned and it is prima facie difficult to accept that the applicant shared common intention with co accused Amansingh in committing the alleged offence under section 354 of the I.P.C. In view thereof, the applicant has made out a case for his release on pre arrest bail.

1. Hence, the following order.

a) In the event of arrest of the applicant in CR No.435/2016 dated 22.10.2016 registered with Amboli Police Station, Mumbai the applicant shall be released on bail on his furnishing PR bond of Rs.15,000/-with one or two local sureties in the like amount.

b) The applicant shall attend the Investigation Officer as and when called for between 11.00 a.m. to 1.00 p.m. The Investigation Officer shall issue notice to the applicant under Section 160 of the Cr.P.C. before calling the applicant to the police station.

c) The applicant shall not tamper with the evidence and /or influence the prosecution witnesses.

d) Application is allowed in the aforesaid terms.

(A.S.GADKARI, J.)