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

ANTICIPATORY BAIL APPLICATION NO. 708 OF 2017

Dhruvkumar Mataprasad Tiwari & Anr. .. Applicants
Vs.
The State of Maharashtra .. Respondent

**WITH
CRIMINAL APPLICATION NO. 403 OF 2017**

Dhruvkumar Mataprasad Tiwari & Anr. .. Applicants
Vs.
The State of Maharashtra .. Respondent
And
Mrs. Vijayalaxmi Anil Tiwari @
Ms. Vijayalaxmi Omprakash Mishra .. Intervener

Mr. Harshad Govind Meshram for the Applicant.
Mr. Mishra Vinodkumar Yamunaprasad for the Intervener.
Mr. R. M. Pethe, APP for the Respondent-State.
Mr. Hanmant Kshirsagar, API, Charkop Police Station present.

CORAM : A.S. GADKARI, J.
DATE : 2nd MAY, 2017.

P. C. :

1. By an order dated 21.04.2017 the applicants are granted interim relief. Applicant No.1 is father-in-law and applicant No.2 is brother-in-law of the first informant Smt. Vijayalaxmi Tiwari.
2. Heard the learned counsel for the applicant, learned counsel for the intervener/first informant and the learned APP at length and also perused the record of investigation. The Learned APP submitted that accused No.1 Anil Tiwari i.e. husband of first informant is already arrested

and is in judicial custody.

3. It, prima facie, appears that there are general allegations made against the applicants in the first information report and no specific overt act is attributed to them. In view of the ratio laid down by the Supreme Court in the case of **Arnesh Kumar Vs. State of Bihar & Anr., (2014) 8 SCC 273**, the applicants deserve to be protected by prearrest bail.

4. In view thereof, the interim relief granted by the order dated 21.04.2017 is hereby confirmed.

5. The application is allowed in the above terms.

6. In view of the order passed in ABA 708/17, Criminal Application No. 403 of 2017 does not survive and is disposed of accordingly.

[A. S. GADKARI, J.]