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

ANTICIPATORY BAIL APPLICATION NO.816 OF 2017

Bapu Aajinath Bhosale	...Applicant
Versus	
The State of Maharashtra	...Respondent

Mr.A.U.Nikam, i/b Mr.Aashish Satpute, for the Applicant.

Ms. Rutuja Ambekar, A.P.P for the Respondent-State

PSI- G.J.Gajbhav, Walchandnagar Police Station, Pune (Rural).

CORAM : REVATI MOHITE DERE, J.
DATE : 30th JUNE, 2017

P.C. :

1. Heard learned Counsel for the parties.
2. By this application, the applicant seeks pre-arrest bail in connection with C.R. No. 81 of 2017 registered with the Walchandnagar Police Station, Pune (Rural), for the alleged offences punishable under Sections 363, 324, 323, 143, 147, 149, 504 and 506 of the Indian Penal Code.

3. Learned Counsel for the applicant states that there is a land dispute between the complainant and Arun Vanve, pursuant to which Arun Vanve and others had abducted and assaulted the complainant alongwith others. He submitted that the applicant has not been named in the FIR. He submitted that although the incident is alleged to have taken place on 21st March, 2017, at 11.00 a.m. the FIR was lodged on 25th March, 2017. He submitted that Arun Vanve and Bittu Sangale have been named in the FIR. He submitted that Arun Vanve and Bittu Sangale were arrested and were enlarged on bail on the very same day.

4. Learned APP opposed the application. She submitted that the applicant has been named by the complainant in the Supplementary Statement. She does not dispute the fact, that there are no antecedents, qua the applicant.

5. Perused the papers. Admittedly the applicant has not been named in the FIR, inasmuch as the FIR has been lodged as against Arun Vanve, Bittu Sangale and other unknown persons. The applicant has been named in the Supplementary Statement by the complainant. No specific

overt act has been attributed to the applicant. The applicant has no antecedents.

6. Considering the aforesaid, the application is allowed and the applicant is granted pre-arrest bail on the following terms and conditions :

ORDER

(i) In the event of the arrest, the applicant be enlarged on bail on executing P.R. Bond in the sum of Rs.25,000/- with one or two sureties in the like amount ;

(ii) The applicant shall report to the Investigating Officer of the concerned Police Station as and when called, till the filing of the charge-sheet or for a period of three months from today, whichever is earlier;

(iii) The applicant shall not contact the complainant, witnesses or any person concerned with the case.

(iv) The Applicant shall co-operate with the Investigating Agency.

7. The Application is allowed in the aforesaid terms and is accordingly disposed of.
8. It is made clear that the observations made herein are *prima facie* and are confined to this application.
9. All concerned to act on the authenticated copy of this order.

(REVATI MOHITE DERE, J.)