

Anand

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

ANTICIPATORY BAIL APPLICATION NO.928 OF 2017

1. Vijaysingh alias Pintu Pruthviraj Patil .Applicants
2. Shashikant Tukaram Anbhule
3. Nitin Madhukar Chavan
4. Madhukar Ramkrushna Chavan

Vs.

The State of Maharashtra .Respondent

Mr.M.A.Chaudhari i/b. Mr.Y.J.Bhange, Advocate, for the Applicants

Mrs.Rutuja Ambekar, APP, for the Respondent – State

CORAM : REVATI MOHITE DERE, J.

DATE : 13.06.2017

P.C.

. Heard learned counsel for the parties.

2. By this Application, the Applicants seek pre-arrest bail in connection with C.R.No.160 of 2017 registered with the Tembhurni Police Station, District – Solapur(Rural), for the alleged offences punishable under Sections 436, 504, 506 r/w.34 of the Indian Penal Code.

3. Learned counsel for the Applicants states that the Applicants have been falsely implicated in the said case. He

submits that the Applicant No.3 - Nitin Madhukar Chavan had lodged a complaint as against the present Complainant and others, alleging the same offences, in connection with an incident which took place a few days earlier. He further submits that as a counter blast to the earlier complaint lodged by the Applicant No.3, the present complaint has been lodged by Dhanaji Dnyandeo Zambre.

4. Learned APP opposes the Application. She does not dispute the fact, that a similar complaint has been lodged by the Applicant No.3 as against the Complainant and others alleging the very same offences, but in a different incident. She submits that after the said incident took place, the present Applicants went to the house of Dhanaji Zambre on 14.04.2017, abused and threatened them and thereafter, set their house ablaze. She submitted that there are eye witnesses to the said incident, who have specifically stated the same. She submits, that the spot panchanama also shows that the house was set on fire and that the articles stored in the house were destroyed.

5. Perused the papers. The incident has taken place on 14.04.2017 at about 10.00 p.m. It appears that pursuant to the

incident which took place earlier, the Applicants went to the house of Dhanaji Zambre, abused him, threatened him with dire consequences and thereafter, the Applicant No.3 gave a match box to the Applicant No.1, who set the house on fire. The Complainant has stated that the Applicant Nos.2 & 4 were abusing and threatening to kill them. He has stated that all the articles that were kept in the house were destroyed in the said fire. The panchanama also corroborates the said statement of the Complainant. There are eye witnesses to the said incident.

6. Considering the aforesaid, this is not a fit case to grant pre-arrest bail to the Applicants. Hence, the Application stands rejected.

7. It is made clear that the observations made herein are prima facie for deciding the aforesaid applications and if an application for regular bail is filed, the same shall be considered on its own merits, uninfluenced by the observations made in this order.

(REVATI MOHITE DERE, J.)