

Anand

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

ANTICIPATORY BAIL APPLICATION NO.1006 OF 2017

Sachin Gaibu Jadhav

.Applicant

Vs.

The State of Maharashtra

.Respondent

Mr.S.C.Halli, Advocate, for the Applicant

Mr.Rajan Salvi, APP, for the Respondent – State

CORAM : REVATI MOHITE DERE, J.

DATE : 18.07.2017

P.C.

. Heard learned counsel for the parties.

2. By this Application, the Applicant seeks pre-arrest bail in connection with C.R.No.54 of 2017 registered with the Solapur Lohmarg Police Station, for the alleged offence punishable under Section 397 of the Indian Penal Code.

3. Learned counsel for the Applicant submits that the Applicant has been falsely implicated in the said case due to the previous animosity between the Complainant and co-accused. He submitted that the Applicant is in noway concerned with the alleged

offence. He further submits that the Applicant has been falsely implicated in the said case, as his father, being sarpanch had tried to mediate a case under Section 498A of the Indian Penal Code lodged by the Complainant's sister against co-accused – Ramesh, Jagdish and Sunil. He submits that the Applicant has attended the concerned police station as directed by this Court vide Order dated 04.07.2017.

4. Learned APP on instructions of PSI – Sarjerao Shinde, Railway Police Station, Solapur states that the Applicant has attended the concerned police station and that his custody is not required.

5. Perused the papers. It appears that there is a dispute between the Complainant and co-accused. Although the Applicant is not related to the co-accused, it appears that the Applicant's father, as sarpanch had tried to mediate a case under Section 498A of the Indian Penal Code lodged by the Complainant's sister against co-accused – Ramesh, Jagdish and Sunil.

6. Considering the aforesaid and the statement made by the investigating officer, the Application is allowed and the Applicant is granted pre-arrest bail on the following terms & conditions:-

ORDER

(i) In the event of arrest, the Applicant be enlarged on bail, on executing PR Bond in the sum of **Rs.15,000/-** with one or two sureties in the like amount;

(ii) The Applicant shall attend the concerned police station **as & when called for** by the investigating officer till the filing of the charge-sheet;

(iii) The Applicant shall not tamper with the evidence or attempt to influence or contact the complainant, witnesses or any person concerned with the case.

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 the trial Court shall decide the case on its own merits, in accordance with law, uninfluenced by the observations made in this order.

Parties to act on the authenticated copy of this order.

(REVATI MOHITE DERE, J.)