

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPTORY BAIL APPLICATION NO. 1410 OF 2017**

Vipul Mandal	...Applicant
Versus	
The State of Maharashtra	...Respondent

**WITH
ANTICIPTORY BAIL APPLICATION NO. 1376 OF 2017**

Narendra @ Naresh Raghunath Sase	...Applicant
Versus	
The State of Maharashtra	...Respondent

Mr. Balwant V. Salunkhe for the Applicant

Mr. M. G. Patil, A.P.P for the Respondent-State

PC Mr. D. G. Kunde from Shahapur Police Station, is present

CORAM : REVATI MOHITE DERE, J.
THURSDAY, 31st AUGUST, 2017

P.C.

1. Heard learned Counsel for the parties.

2. By these applications, the applicants seek pre-arrest bail in connection with C.R. No. 310 of 2017 registered with the Shahapur Police Station, Thane (Rural), for the alleged offences punishable under Sections 354, 452, 504 r/w 34 of the Indian Penal Code.

3. Learned Counsel for the applicants submits that the allegations as against the applicants are false and baseless. He submits that the applicants, as directed by this Court, have reported to the Investigating Officer.

4. Learned A.P.P does not dispute the fact that both the applicants have reported to the Investigating Officer, as directed by this Court, vide order dated 8th August, 2017.

5. According to the complainant, she had given an advance of Rs. 50,000/- to the applicants, for construction of her new house. She has stated that out of the said amount of Rs.50,000/-, a cheque of Rs.40,000/- was returned to her and as some balance was left, she was demanding the same from the applicants. She has stated that as she was demanding the balance payment, both the accused got enraged. She has further alleged that on 21st June, 2017 at about 9:30 p.m., when she was alone in the house with her children, the applicants came at around 11:00 p.m. and rang the door bell. She has stated that when she opened the door, the applicant-Vipul

asked her why she was not picking up their phone and looked at her in an objectionable manner. She has stated that when she disclosed that her husband was not at home, the applicant-Vipul held her hand and pushed her inside. She has stated that applicant-Naresh also tried to enter the house forcibly. However, when she started shouting, her neighbour – Sujata Farde came, pursuant to which, both of them left the house.

6. In the facts of this case, the applicants are granted pre-arrest bail, on the following terms and conditions :

ORDER

- (i) In the event of the arrest, the applicants be enlarged on bail on executing P.R. Bond in the sum of Rs.25,000/- each, with one or two sureties in the like amount;
- (ii) The applicants 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, whichever is earlier;
- (iii) The applicant shall not tamper or attempt to influence the complainant, witnesses or any person concerned with the case;

(iv) The applicant shall inform his latest place of residence and mobile contact number and/or change of residence or mobile details, if any, from time to time to the Court seized of the matter and to the Investigating Officer of the concerned Police Station;

(v) The applicant to cooperate with the conduct of the trial.

7. The applications are accordingly disposed of.

8. It is made clear that the observations made herein are *prima facie*, for the purpose of deciding this application.

9. All concerned to act on the authenticated copy of this order.

REVATI MOHITE DERE, J.