

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

ANTICIPATORY BAIL APPLICATION NO.1945 OF 2016

Shrikant Sudhakara Sawant Applicant

versus

State of Maharashtra ... Respondent

Mr.V. V. Purwant, Advocate for the Applicant.

Mr.Vinod Chate, APP for the State/Respondent.

**CORAM : MRS.MRIDULA BHATKAR, J.
DATE : 25th JANUARY, 2017.**

P.C. :

1. This application is moved for pre-arrest bail by the applicant/accused. The applicant/accused is prosecuted for the offences punishable under section 143, 147, 380, 454 and 506 of the Indian Penal Code in C.R.No.215/16 of Vai Police Station, District - Satara.

2. One Nikhil Dinkar Pawar gave information to police on 12/10/2016 that he is the owner of one farm house at Gut No.280/C in Village Shendurjane, Taluka-Wai, District-Satar. On

12/10/2016 he received information from his brother-in-law Mangesh Changdev Fadtare that 25-30 unknown person have entered his house and when Mangesh Fadtare followed them, they stopped him and told him that without permission of Shirkant Sawant i.e. the present applicant/accused, they would not allow anybody to enter. His brother-in-law noticed that 10-15 unknown persons have occupied the complainant's house and therefore he reported the incident to the complainant. Thereafter complainant in the evening went to his house and at the time found that one Vasant Shankar Jadhav, a resident of Shendurjane, restrained him from entering his house and told him that he has taken possession of his house. He found that those persons alongwith Vasant Jadhav as stolen his scooter, motorcycle, furniture, Gas stove and some utensils valued approximately Rs.37,850. Hence he gave FIR.

3. The learned counsel for the applicant/accused has submitted that there is no evidence against the applicant/accused. His name is appearing in the FIR that

Mangesh Fadtare was restrained by 5 persons and they informed him that he required permission from the applicant/accused to enter. He submitted that there is no criminal record against the applicant/accused.

4. The learned prosecutor opposed the application. He relied on the statement of Mangesh Fadtare.

5. Perused complaint and statement of Mangesh Fadtare. Besides the statement made by 4-5 unknown persons that in the absence of permission from the applicant/accused, Mangesh could not enter the house, there is nothing on record. Hence the order of interim bail dated 01/11/2016 is hereby confirmed with the same bail bond and he shall attend police station as and when called.

(MRIDULA BHATKAR, J.)