

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

ANTICIPATORY BAIL APPLICATION NO.1084 OF 2018

Amey Arun Dhumal	...Applicant
Versus	
The State of Maharashtra	...Respondent

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Mr. Kedar J. Patil for the Applicant.
Mr. S.R. Agarkar, APP for the Respondent-State.
Mr. Kasbekar, PSI, MIDC Kupwad police station, present.

CORAM : SMT. ANUJA PRABHUDESSAI, J.

DATED: 11th OCTOBER, 2018.

P.C.:-

This is an application under Section 438 of the Cr.P.C. filed by the aforesaid Applicant, apprehending his arrest in C.R. No.50 of 2018 registered with Kupwad Police Station, District-Sangli, for offences punishable under Sections 307 and 504 of the Indian Penal Code, 1860.

2. Heard Mr. Kedar Patil, the learned counsel for the Applicant and Mr. S.R. Agarkar, the learned APP for the Respondent -State. I have perused the records and considered submissions advanced by the learned counsel for the respective parties.

3. The material on record reveals that on 4.4.2018 Sunita was admitted in Civil Hospital, Miraj with burn injuries. Her statement was recorded wherein she had alleged that one Satish Shinde, who was working in Arwa Company had taken hand loan from her. Said Satish Shinde and his brother were forcing her to keep relationship with Satish Shinde and were not allowing her to talk to anyone. On 4.3.2018 they came to her house and questioned her why she was talking to other employees of the company. When Satish had refused to return the money, she had told them that she would lodge a police complaint against them. She claims that the brother of Satish went to the neighbouring house and brought a can of kerosene and poured over her body and Satish set her ablaze.

4. The complainant has not attributed any role to the Applicant. There is no material to prima facie indicate that the Applicant is in anyway connected with the said crime. The Applicant was granted interim bail by order dated 6.6.2018 and he was directed to report the investigation officer for interrogation. The learned APP submits that the Applicant has been interrogated and charge sheet has been filed. He submits that presence of the Applicant is not required for custodial interrogation.

5. Considering the above facts and so also the nature of allegations levelled against the Applicant, in my considered view this is a fit case for grant of pre-arrest bail. Hence, the application is allowed on following terms and conditions:

- (i) In the event of arrest of the Applicant in C.R. No.50 of 2018 registered with Kupwad Police Station, District-Sangli, the Applicant shall be released on bail on furnishing bail bonds of Rs.25,000/- with one or two solvent sureties in the like amount.
- (ii) The Applicant shall furnish his permanent as well as temporary address, if any, and his contact details to the concerned investigation officer.
- (iii) The Applicant shall not change his residential address without prior intimation to the concerned investigation officer.
- (iv) The Applicant shall not interfere with the witnesses in any manner

(SMT. ANUJA PRABHUDESSAI, J.)