

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

ANTICIPATORY BAIL APPLICATION NO. 1704 OF 2018

Siddhikesh Dasharath Chavan ..Applicant

v/s.

The State of Maharashtra . ..Respondents

Mr.Harshad Bhadbhade I/b. Abhishek Sathe for the Applicant.
Mrs. J.S.Lohokare, APP for the State.

**CORAM : ANUJA PRABHUDESSAI,J.
DATED : OCTOBER 24, 2018.**

P.C.

1. This is an application under Section 438 Cr.P.C. filed by the aforesaid applicant apprehending his arrest in C.R.No. 57 of 2018 registered with Guhagar Police Station, Ratnagiri for offence under Section 307 r/w. 34 of IPC.
2. Heard Mr. Bhadbhade, the learned Counsel for the applicant and Mrs. Lohokare, the learned APP for the State. I have perused the records and considered the submissions advanced by the learned Counsel for the respective parties .
3. The aforesaid crime was registered pursuant to the FIR dated

7th July, 2018 lodged by Shri Jalindar Tatyaso Pol. The FIR prima facie reveals that on 20th June, 2018 the first informant had received a phone call from one person who had identified himself as Siddesh Chavan. The said person had threatened him not to submit the tender documents. The first informant claims that on 22nd June, 2018 he had gone to the office of Ratnagiri Gas and Power Pvt. Ltd., at Ratnagiri to submit tender documents. Two persons came to said office. One of the person told him that his name was Siddesh Chavan. The first informant has stated that after he left the office, the said person who had disclosed his name as Siddesh Chavan and his associate came in a white coloured Scorpio car at a high speed and tried to run him over. He therefore got scared and went and sat in his vehicle. Based on these allegations crime has been registered against the applicant for attempting to murder the first informant.

4. It is to be noted that the alleged incident had occurred on 22nd June, 2018 whereas the FIR was lodged on 7th July, 2018. There is considerable delay in lodging the FIR. Prima facie, there are no justifiable reasons. Furthermore, the FIR indicates that the applicant had not sustained any injury. The nature of the allegations, in my

considered view, do not justify custodial interrogation. The applicant is a permanent resident of Chiplun, Dist. Ratnagiri. There are no chances of his absconding or thwarting the course of justice. He has no criminal antecedents.

5. Considering the above facts and circumstances, the application is allowed on following terms and conditions:-

(i) In the event of arrest of the applicant in Crime No.57 of 2018 registered with Guhagar Police Station, Ratnagiri, the applicant be released on bail on furnishing bail bond of Rs.25,000/- (Rupees Twentyfive Thousand Only) with one or two solvent sureties in the like amount, to the satisfaction of the Investigation Officer.

(ii) The applicant shall report to the Investigating Officer for four days from Monday 29th October, 2018, 2018, and further as and when required by the Investigating Officer for the purpose of investigation and interrogation.

(iii) The applicant shall provide his permanent as well as temporary address, if any, and his contact details to the Investigating Officer.

(iv) The applicant shall not change his residential address without prior intimation to the Investigation Officer.

(v) The applicant shall not interfere with the complainant and the other witnesses in any manner.

(ANUJA PRABHUDESSAI, J.)