

Dond

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

**ANTICIPATORY BAIL APPLICATION NO. 442 OF 2018
WITH
APPP NO. 415 OF 2018**

Madhukar Shivaji Kale

..Applicant

Vs

The State of Maharashtra

..Respondent

Mr. Nitesh Mohite I/b J.D. Mane for applicant.

Mr. Amit Palkar, APP for State.

Mr. Prabhakar Jadhav for Intervener.

CORAM : A.S.GADKARI, J.

DATE : 28th November 2018.

P.C.:

1] By an Order dated 15th March 2018, the applicant was granted interim relief and was directed to attend the concerned Police Station, to cooperate with the Investigating Agency.

2] Heard the learned counsel for the applicant, the learned counsel for the Intervener and the learned APP for the State. Perused the record.

3] It is the case of the first informant that, on the date of incident the applicant has forcefully administered him a pesticide by name Thriver and tried to commit his murder. The report of the Forensic Science Laboratory pertaining

to stomach wash of the first informant Shri Pramod Gade mentions that, no poison was found in it.

4] In view thereof, the custodial interrogation of the applicant for further investigation of the crime is not necessary.

Interim relief granted by an Order dated 15th March 2018 is hereby confirmed.

However, the condition to attend the concerned police station is waived.

5] Application is allowed in the aforesaid terms.

6] In view of Order passed in A.B.A. No. 442 of 2018, Criminal Application (APPP) No.415 of 2018 does not survive and the same is accordingly disposed off.

(A.S.GADKARI, J.)