

Anand

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

ANTICIPATORY BAIL APPLICATION NO. 602 OF 2018

1. Vikas Chunnilal Nayak .Applicants
2. Babu Nayak alias Surendra Dalchand Rajput

Vs.

The State of Maharashtra .Respondent

Mr. G. T. Kanchanpurkar, Advocate, for the Applicants
Mr. M. G. Patil, APP, for the Respondent – State

CORAM : REVATI MOHITE DERE, J.

DATE : 12.04.2018

P.C.

. Heard learned counsel for the parties.

2. By this Application, the Applicants seek pre-arrest bail in connection with C. R. No. 56 of 2018 registered with the Palghar Police Station, District – Palghar, for the alleged offences punishable under Sections 307, 323, 504, 506 r/w 34 of the Indian Penal Code.

3. Learned counsel for the Applicants states that as far as the Applicants are concerned, the only allegation in the complaint as against the Applicants is that they abused and threatened the Complainant. He

submits that no overt act has been attributed to the Applicants.

4. Learned APP does not dispute the same.

5. Perused the papers. The alleged incident has taken place on 02.03.2018 at about 1.00 p. m., during the Holi festival. The only allegation qua the Applicant is that they abused and threatened the Complainant. Apart from the same, no specific overt act has been attributed to the Applicants. Hence, in the facts of the case, custodial interrogation of the Applicants is not necessary. Accordingly, the Application is allowed and the Applicants are granted pre-arrest bail on the following terms & conditions :-

ORDER

(i) In the event of arrest, the Applicants be enlarged on bail, on executing PR Bond in the sum of **Rs. 10,000/- 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 & when called for** by the investigating officer;

(iii) The Applicants shall not tamper with the evidence or attempt to influence or contact the complainant, witnesses or any person

concerned with the case;

(iv) The Applicants to cooperate with the conduct of the trial.

6. The Application is allowed in the aforesaid terms and is accordingly disposed of.

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

(REVATI MOHITE DERE, J.)