

Nalawade

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO. 931 OF 2018
WITH
CRIMINAL APPLICATION NO. 740 OF 2018

Keshav Maruti Patil vs. The State of Maharashtra and anr.

Office Notes, Office Memorandum of Coram, appearances, Court's orders or directions and Registrar's orders	Court's or Judge's orders
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Mr. Kuldeep Nikam for the Applicant.

Mr. S.S. Hulke, APP. For the State.

Mr. Rajan Pawar for the Intervener.

CORAM : A.S.GADKARI, J.

DATE : 12th July, 2018

P.C.

1. By an Order dated 18.7.2018 the applicant has granted interim relief.

2. The defence of the applicant is of alibi, as he was present between 6.45 p.m. to 8.30 p.m. on 19.3.2018 at the site of Nirlam Life Style at Ambivali. The time of incident of the present crime is alleged to be at about 7.30 p.m. on 19.3.2018. The Investigating officer has recorded statements of six persons who were present at the said site at Nirmal Life Style at Ambivali who confirms the presence of the applicant at that

place.

In view thereof, there is substance in the defence raised by the applicant and therefore the applicant is entitled to be protected by pre-arrest bail.

Hence, the following order.

- a) In the event of arrest in CR-I-98/2018 dated 19.3.2018 registered with Khadak Pada Police Station, Kalyan, the applicant shall be released on bail on his furnishing PR bond of Rs.25,000/-with one or two solvent local sureties in the like amount.
- b) The applicant shall attend the Investigating officer as and when called for after receipt of notice under Section160 of the Cr.P.C. between 11.00 a.m. to 2.00 p.m. and to join the process of investigation till submission of final report.
- c) The applicant shall not tamper with the evidence and/or influence the prosecution witnesses.
- d) Application is allowed in the aforesaid terms.
- e) In view of the above, the application for intervention bearing Criminal Application No.740/2018 does not survive and the same is accordingly disposed off.

(A.S.GADKARI, J.)