

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

BAIL APPLICATION NO. 2653 OF 2018

Hanumant Namdeo Jadhav

..Applicant

v/s.

The State of Maharashtra .

..Respondents

Mr. Kuldeep Patil a/w. Mr. Prashant Hagare for the Applicant.

Mr. A.D.Kamkhedkar, APP for the State.

Mr. K.S.Nikam, Police Constable, Indapur Police Stn., present.

CORAM : ANUJA PRABHUDESSAI,J.

DATED : OCTOBER 10, 2018.

P.C.

1. This is an application for bail filed under Section 439 Cr.P.C. by the aforesaid applicant, who has been arrested in Crime No. 720 of 2018 registered with Indapur Police Station, for offences under Section 354, 354B, 364A, 452, 504, 506 of the Indian Penal Code and Section 39 of Maharashtra Money Lending (Regulation) Act, 2014.

2. Heard Mr. Patil, the learned Counsel for the applicant and Shri Kamkhedkar, 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 lodged by Anita Hanmant Jadhav. The first informant had alleged that in the year 2002 her mother-in-law had taken loan of Rs.10,000/- from the applicant. Since the said amount was not repaid, the applicant had forcibly obtained the thumb impression of her mother-in-law on a sale deed in respect of their property. The first informant has claimed that they had questioned the applicant about execution of the said Sale Deed. The first informant claims that on 19th September, 2018 the applicant entered her house and tried to pull her saree and thereafter dragged her minor son and pulled him in a car and took him towards the Sugar factory premises. She claims that she and her brother-in-law had followed the applicant and had told him that he could retain the property and had requested the applicant not to harm her son. The first informant thereafter lodged the FIR against the applicant for outraging her modesty and for kidnapping her son.

4. The material on record does not prima facie indicate that there was any demand for ransom and hence prima facie the provisions of

Section 364A could not be applicable. The records prima facie reveal that there is a dispute between the first informant and the applicant in respect of the property and that a civil suit in respect of the said dispute is pending adjudiation before the Civil Court at Indapur.

5. The applicant is in custody since 20th September, 2018 and presently he is in judicial custody. His presence is no longer required for the purpose of interrogation or investigation. The applicant is a permanent resident of Pune and there are no chances of his absconding or thwarting the course of justice. There are no criminal antecedents against the applicant.

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

- (i) The applicant who is arrested in Crime No. 720 of 2018 registered with Indapur Police Station, is ordered to 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;
- (ii) The applicant shall provide his permanent as well as temporary address, if any, and his contact details to the Investigating Officer and in the bail bond;

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

**Prasanna
Pradeep
Salgaonkar**

(vi) The applicant shall not tamper with the evidence or interfere with the witnesses or tamper with the evidence in any manner;

Digitally signed by
Prasanna Pradeep
Salgaonkar

Date: 2018.10.12
13:54:29 +0530

(ANUJA PRABHUDESSAI, J.)