

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL ANTICIPATORY BAIL APPLICATION NO.2360 OF 2018

Arvind Bhagat	Applicant
versus	
The State of Maharashtra	Respondent

Ms.Anita Y. Murgude for applicant.
Mr.S.R.Agarkar, APP, for State.
Mr.Rane, PSI, Aarey Police Station, present.

CORAM : PRAKASH D. NAIK, J.

DATE : 28th November 2018

PC :

1. This is an application for anticipatory bail. The applicant is apprehending arrest in CR No.150 of 2018 registered with Aarey Police Station for offences under Sections 377, 376, 406, 498A, 494, 323, 504, 506(2), 34 of Indian Penal Code.

2. The marriage between the applicant and the complainant was solemnized on 5th November 2006. On 10th December 2013 they were blessed with a baby boy. It is alleged that the accused had committed several acts as stated in the FIR and had also misappropriated the stri-dhan. The applicant filed an application for anticipatory bail before the Sessions Court which has been rejected on 1st November 2018. The other accused viz mother-in-law, father-in-law and sisters-in-laws were granted anticipatory bail by the Sessions Court. It is noted that the FIR was lodged after twelve years of the marriage. On the last occasion when the matter came up for hearing before this Court, time was granted to the advocate for

applicant to take instructions and to make a statement as to how much amount the applicant is willing to deposit. Learned counsel for applicant, on instructions, submits that the applicant would tender to the investigating officer demand draft/banker's cheque of Rs.1,00,000/- in the name of complainant. The statement is accepted.

3. Taking into consideration aforesaid circumstances, case for grant of anticipatory bail is made out. Hence, I pass following order :

ORDER

- (i) In the event of arrest of applicant in connection with CR No.150 of 2018 registered with Aarey Police Station, Mumbai, the applicant be released on bail on furnishing PR bond in the sum of Rs.25,000/- with one or more sureties in the like amount;
- (ii) The applicant shall tender demand draft/banker's cheque in the sum of Rs.1,00,000/- drawn in the name of complainant, to the investigating officer within two weeks; who in turn, shall handed over the same to the complainant, obtain receipt and submit the receipt to the records of this application;
- (iii) Criminal Anticipatory Bail Application No.2360 of 2018 is disposed off;
- (iv) For reporting compliance, stand over to 19th December 2018.

(PRAKASH D. NAIK, J.)