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

ANTICIPATORY BAIL APPLICATION NO.2371 OF 2018

Vinod Prakash Shirsath

..Applicant

Vs

The State of Maharashtra

..Respondent

Mr. Umesh H. Pawar I/b Prashant Bhavake for applicant.

Mr. Amit Palkara, APP for State.

CORAM : A.S.GADKARI, J.

DATE : 6th December 2018.

P.C.:

1] The applicant is apprehending arrest in CR No. 144 of 2018 dated 29.08.2018 registered with Chhavni Police Station, Taluka Malegaon, District- Nashik under sections 419, 420, 467, 471 read with 34 of the Indian Penal Code.

2] Heard the learned Counsel for the applicant and the learned APP. Perused the record annexed to the application.

3] The present crime is registered on the basis of an Order passed under section 156(3) of Cr. P.C by the learned Additional Chief Metropolitan Magistrate, Malegaon on the private complaint lodged by the

first informant bearing Regular Criminal Case No.554 of 2018. The pleadings in the said complaint indicates that, the complaint is against applicant/accused No.6 therein and his brother the original accused No.1 Pappu Shirsath. Except general allegations against the applicant that, he knows the family members of the complainant and no other no overt-act is attributed to him in the said complaint. The main allegations are made against the original accused No.1 Pappu Shirsath, accused No.2 Sanjay Ahire and accused No.3 Vinod Devre and accused No.5 Kiran Kodhavade.

4] As noted earlier, no overt-act is attributed to the applicant in the present crime and therefore custodial interrogation of the applicant for further investigation is not necessary.

After perusal of the record, this Court is of the view that the applicant can be protected by pre-arrest bail.

Hence the following Order:-

i] In the event of arrest in CR No. 144 of 2018 registered with the Chavni Police Station, Malegaon, the applicant be released on bail on his furnishing PR bond in the sum of Rs.25,000/- with one or two solvent local sureties in the like amount.

ii] Applicant shall attend the Investigating Officer as and when

called for between 10.00 a.m to 1.00 p.m. after receipt of notice in writing from the concerned Investigating Officer till submission of final report.

iii] Applicant shall not tamper with the evidence and/or influence the prosecution witnesses.

5] Application is allowed in the aforesaid terms.

(A.S.GADKARI, J.)