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

**ANTICIPATORY BAIL APPLICATION NO. 296 OF 2019**

|                          |                 |
|--------------------------|-----------------|
| Rahul Chandrakant Kadam  | .....Applicant  |
| V/s.                     |                 |
| The State of Maharashtra | .....Respondent |

Manoj M. Kondekar i/b Mr. Viraj P. Ambure advocate for the applicant

Mr. S. H. Yadav APP for the State

Mr. A. V. Tanksali, ASI, Vijapur Naka Police Station, Solapur.

**CORAM : NITIN W. SAMBRE, J.**

**DATE : FEBRUARY 4, 2019.**

**P.C.**

In Crime No. 819/2018 registered with Vijapur Naka Police Station, Solapur for an offence punishable under Sections 365, 323, 324, 504, 506 r/w 34 of the Indian Penal Code, applicant is seeking pre-arrest bail.

2 Perused investigation papers. Apart from the fact that the story narrated by the complainant does not repose any confidence, particularly his unnatural conduct as reflected in the F.I.R., the alleged eye witnesses claim to have identified the accused based on

hearsay evidence. There is hardly any material to infer that applicant is *prima facie* involved in the crime in question.

3 Even the injury certificate also not produced so as to infer offence under section 324 of the Indian Penal Code. The necessary ingredients of section 365 of the Indian Penal Code are also not satisfied. As such, application for pre-arrest bail is made out.

*(A) In the event of arrest of the applicant in Crime No. 819/2018 registered with Vijapur Naka Police Station, Solapur, applicant be released on bail on furnishing P.R. bond in the sum of Rs. 25,000/- with one or more sureties in the like amount.*

*(B) Applicant shall not influence witnesses or tamper with evidence.*

*(C) Applicant to attend Investigating Officer on 11/02/2019, 14/02/2019 and 16/02/2019 between 10.00 a.m. to 12.00 noon and thereafter as and when directed by the Investigating Officer.*

4 Application stands disposed of.

**[NITIN W. SAMBRE, J.]**