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***IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO.1580 OF 2018***

Anandrao Maruti Ithape & Ors.	..Applicants.
V/s.	
The State of Maharashtra & Anr.	..Respondents.

Mr.Kuldeep S.Patil for the applicants.

Mr.N.B. Patil, APP for the respondent-State.

***CORAM : NITIN W. SAMBRE, J.
DATE : JANUARY 16, 2019***

P.C.:-

On August 8, 2018, the applicant was granted ad-interim protection in crime No.228/2018 for offence punishable under section 306 read with 34 of the Indian Penal Code registered with Bhujinj police station, Taluka Wai, District Satara.

2. Heard learned counsel for the applicants. Learned counsel would demonstrate from the account entries of Anandrao i.e. applicant No.1 about payments made to the complainant and his brother towards purchase of land. It can be easily inferred from the notice that payment of Rs.26 lakhs was received by deceased and his brothers from the applicants in a transaction of land.

3. Though, learned APP while opposing the bail application

has relied upon the handwritten notes left by the deceased Anand, however, from the perusal thereof, it is really difficult to appreciate the involvement of the applicants for an offence punishable under section 306 of the Indian Penal Code which warrants custodial interrogation. At the behest of the brother of deceased Anand, namely, Kisan, applicant No.1 is facing a complaint case for an offence punishable under section 138 of the Negotiable Instruments Act, 1881. The ingredients of Section 301 of the Indian Penal Code are not spelt out from the complaint and other material.

4. In the aforesaid background, ad-interim protection granted stands confirmed.

5. The applicants shall attend the Investigating officer as and when directed.

6. The applicants shall not influence the prosecution witnesses or tamper with the evidence.

7. The applicant shall co-operate with the investigating agency.

8. The application stands disposed of accordingly.

(NITIN W. SAMBRE, J.)