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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO.274 OF 2019

1. Tushar Dyaneshwar Landage,
2. Ganesh Rambhau Kolpe ..Applicants.
V/s.
The State of Maharashtra ..Respondent.

Mr.Milind Deshmukh for the applicants.

Mr.A.A.Palkar, APP for the respondent-State.

CORAM : NITIN W. SAMBRE, J.

DATE : JANUARY 31, 2019

P.C.:-

Heard learned counsel for the applicants and learned APP for the State.

2. In crime No.176/2018 for offence punishable under sections 326, 143, 144, 147, 148, 149, 323, 504, 506 of the Indian Penal Code registered with Ranjangaon police station, District Pune, the applicants are seeking pre-arrest bail.

3. So far as the prayer for release of applicant No.2 Ganesh Rambhau Kolpe is concerned, he is named in the F.I.R.

and there are statements of eye witnesses. That being so, there is sufficient material to infer his *prima facie* involvement in the crime in question. As such, application of the applicant Ganesh Rambhau Kolpe for grant of pre-arrest bail in the aforesaid circumstances stands rejected.

4. So far as applicant No.1 Tushar Dyaneshwar Landage is concerned, he is neither named by the complainant nor the eye witness Santosh has named him as the person present on the spot. However, his name cooped up in the investigation through the supplementary statements. The supplementary statement is not clear as to the source on which the complainant and eye witness Santosh could identify the said accused. That being so, applicant No.1 Tushar Dya2neshwar Landage is entitled to be released on pre-arrest bail. Hence the order :-

- I) The application of the applicant Ganesh Rambhau Kolpe for pre-arrest bail stands rejected;
- ii) In the event of arrest in Crime No.176/2018 for offence punishable under sections 326, 143, 144, 147, 148, 149, 323, 504, 506 of the Indian Penal Code registered with Ranjangaon police station, District Pune, applicant **Tushar**

Dyaneshwar Landage be released on bail on his executing P.R. bond of Rs.15,000/- with one or two sureties in the like amount;

- iii) Applicant Tushar Dyaneshwar Landage shall attend the Investigating officer on 2nd, 5th, 8th and 11th February, 2019 between 10.00 a.m. to 12.00 noon and thereafter as and when directed;
- iv) The applicant shall not influence the prosecution witnesses or tamper with the evidence;
- v) The applicant shall co-operate with the investigating agency;
- vi) The application stands disposed of accordingly.

(NITIN W. SAMBRE, J.)