

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CRIMINAL APPELLATE JURISDICTION****ANTICIPATORY BAIL APPLICATION NO. 859 OF 2019****BILAL NIYAMULLAH ANSARI****.....APPLICANT****Vs.****THE STATE OF MAHARASHTRA****.....RESPONDENT**

Mr. Devendra Patil for the Applicant.

Mr. Amit Palkar APP, for the Respondent-State.

CORAM : A. S. GADKARI, J.**DATE : 9th APRIL, 2019.****P.C.:-**

The Applicant is apprehending arrest in CR No. 339 of 2018 dated 11th November, 2018 registered with Shantinagar Police Station, Thane under Sections 302, 324, 504, 506, 109 read with Section 34 of the Indian Penal Code.

2 Heard the learned counsel for the Applicant and the learned APP. Perused the charge sheet and record of investigation.

3 The record indicates that the name of the Applicant has been mentioned by the first informant in her supplementary statement as one of the person following the deceased in an auto-rickshaw. The record further indicates that, the C.C.T.V. footage collected by the

Investigating Agency of the scene of offence, does not disclose the presence of Applicant therein. It appears that the Applicant has been impleaded by the informant in the present crime, as there was long pending dispute between the family of the informant and the family of the Applicant over a piece of plot of land.

4 In view of the above, the custodial interrogation of the Applicant is not necessary for further investigation in the present crime and the Applicant can be protected by pre-arrest bail.

Hence, the following order-

- a) In the event of arrest in CR No. 339 of 2018 dated 11th November, 2018 registered with Shantinagar Police Station, Thane, the Applicant shall be released on bail on his furnishing PR bond of Rs.25,000/- with one or two solvent local sureties in the like amount.
- b) The Applicant shall not tamper with the evidence and/or pressurize the prosecution witnesses.
- c) Application is allowed in the aforesaid terms.

(A.S. GADKARI, J.)