

Anand

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

ANTICIPATORY BAIL APPLICATION NO. 1310 OF 2019

Sudhir Sunil Bodke

.Applicant

Vs.

The State of Maharashtra

.Respondent

Mr. S. V. Marwadi i/b. Mr. Narayanganesh M. Nadar, Advocate, for the Applicant

Mrs. P. P. Shinde, APP, for the Respondent – State

Mr. S. G. Jagadale, PSI, Upnagar Police Station, Nashik present

CORAM : REVATI MOHITE DERE, J.

DATE : 11.07.2019

P.C.

. Heard learned counsel for the parties.

2. By this Application, the Applicant seeks pre-arrest bail in connection with C. R. No. I-223 of 2018 registered with the Upnagar Police Station, Nasik, for the alleged offences punishable under Sections 341, 504, 506 r/w 34 of the Indian Penal Code and under Section 3/25 of the Arms Act.

3. Leaned counsel for the Applicant has tendered an

Affidavit of the Applicant, wherein he has stated that he does not possess any arms i. e. Revolver / Pistol. The same is taken on record and marked as "X" for identification. According to the Complainant, the Applicant, Pradeep Borase, Nemichand Potdar and Vipul Potdar came to his house on 08.05.2018 at 2.30 p. m. and threatened him to withdraw the suit or else they would kill him. It is alleged that the Applicant had shown him a pistol. It is alleged that the incident took place in the presence of his friend – Vicky, who was present at the spot. It is alleged by the Complainant that even prior to the said incident i. e. 02.10.2017, the Applicant had threatened him on phone, by asking him to withdraw the suit or pay Rs. 70,00,000/-. It appears that Rajesh and Ajit Dhargode are in possession of the suit and the Applicant is claiming the said property through the Dhargode brothers. With respect to the incident of 2017, no complaint has been filed by the Complainant in the police station. Be that as it may, considering the peculiar facts of this case, custodial interrogation of the Applicant is not warranted. Accordingly, the Application is allowed and the Applicant is granted pre-arrest bail on the following terms & conditions :-

ORDER

(i) In the event of arrest, the Applicant be enlarged on bail, on executing P. R. Bond in the sum of **Rs. 25,000/-** with one or two local sureties in the like amount;

(ii) The Applicant shall report to the investigating officer of the concerned police station on **every Monday between 10.00 a. m. and 11.00 a. m.** till the filing of the charge-sheet and thereafter, on the first Monday of every month for a period of 24 months;

(iii) The Applicant shall inform his latest place of residence and mobile contact number immediately after being released and/or change of residence or mobile details, if any, from time to time to the Court seized of the matter and to the Investigating Officer of the concerned Police Station;

(iv) The Applicant shall not tamper with the evidence or attempt to influence or contact the complainant, witnesses or any person concerned with the case;

(v) The Applicant to cooperate with the investigation.

4. The Application is allowed in the aforesaid terms and is accordingly disposed of.

All concerned to act on the authenticated copy of this order.

(REVATI MOHITE DERE, J.)