

Versus

The State of Maharashtra ...Respondent

Mr. P. H. Gaikwad-Patil, A.P.P for the Respondent-State

CORAM : REVATI MOHITE DERE, J.
TUESDAY, 27th AUGUST 2019

P.C.

2 By this application, the applicant seeks pre-arrest bail in connection with C.R. No. 175 of 2019 registered with the Padgha Police Station, Thane (Rural), for the alleged offence punishable under Section 380 r/w 34 of the Indian Penal Code.

3 The complainant is the husband of the applicant No. 1. The
applicant No. 2 is a younger brother of the applicant No. 1. According to
the complainant, the applicants, without his permission, entered the house

and stole jewellery worth Rs. 48,000/- from his house. Learned counsel for the applicants submits that the applicants are falsely implicated in the present case, as the applicant No. 1 had prior thereto, lodged an FIR, as against the complainant under Section 498A of the Indian Penal Code. He submits that as the applicant No. 1 refused to withdraw the said complaint lodged by her under Section 498A of the Indian Penal Code against the complainant, the aforesaid complaint was filed as a counter blast.

4 Learned A.P.P states that pursuant to the interim protection granted to the applicants, the applicants have attended the police station.

5 Having regard to the nature of allegations and the matrimonial dispute between the complainant and the applicant No. 1, the interim relief granted to the applicants vide order dated 11th July 2019 is confirmed on the following terms & conditions :-

ORDER

- (i) In the event of the arrest, the applicants be enlarged on bail on executing P.R. Bond in the sum of Rs.5,000/- each, with one or two sureties in the like amount;

(ii) The applicants to cooperate with the investigating agency.

6 The application is allowed in the aforesaid terms and is accordingly disposed of.

7 It is made clear that the observations made herein are *prima facie*, for the purpose of deciding this application.

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

REVATI MOHITE DERE, J.