

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO.1517 OF 2019

Sanket Raju Hole] ... Applicant

Versus

The State of Maharashtra] ... Respondent

Mr. Ghanshyam Jadhav i/b Mr. Biju Aloor, Advocate for the Applicant.
Mr. S.S. Pednekar, APP for the State/Respondent.

CORAM :- SARANG V. KOTWAL, J.
DATE :- 12th JULY, 2019.

P. C. :-

1. The applicant is seeking anticipatory bail in connection with C.R.No.360/2019 registered with Daund Police Station, Pune (Rural) u/sec. 454, 457, 380 r/w 34 of I.P.C.

2. The FIR is lodged by one Ramesh Chormale. According to him, he had two wives. The first wife Vimal had two sons Ganesh and Mahesh and they are residing at Gopalwadi in Daund Taluka. The informant's second wife Rupali and their son Suraj was residing at Baramati. The first informant was maintaining both the families. On 01/06/2019, when he was present outside his house sitting in his

Scorpio Jeep with his driver, the first informant's son Mahesh and the present applicant along with three unknown persons forcefully took him to a Rehabilitation Centre at Pune known as Anandvan Vyasan Mukta Kendra. Thereafter, he was rescued by police on 03/06/2019. The first informant had lodged his FIR vide C.R. No.326/2019 for offence u/sec. 363, 341, 342, 323, 142 of I.P.C. After that he had gone to his house at Baramati. On 04/06/2019, he came back to his house at Daund with his wife and friends. He saw that the locks of his gate were broken and when he went inside, he saw that the house was ransacked. His valuables and cash were missing. In all, his property including cash worth Rs.2,29,500/- was stolen. Based on these allegations, he lodged this FIR. It is important to note that, the FIR was lodged on 21/06/2019 at Daund Police Station.

3. Heard Mr. Ghanshyam Jadhav, Ld. Counsel for the Applicant and Mr. S.S. Pednekar, APP for the State/Respondent.

4. Ld. Counsel for the applicant submits that the FIR is lodged against the present applicant merely on suspicion. According to the first informant, the applicant had helped the informant's son Mahesh

to take the informant forcefully to the rehabilitation centre. Therefore, the informant suspected the applicant's hand in the theft committed in his house.

5. Ld. APP could not point out any concrete material even after taking instructions from the Investigating Officer.

6. The allegations in the FIR certainly do not travel beyond suspicion. In respect of first incident dated 01/06/2019, already a separate offence is registered. The first informant was aware of the theft and house breaking on 04/06/2019 itself and in respect of that, the FIR was lodged only on 21/06/2019. There is no explanation in the FIR, why it was lodged after so many days. It is rather difficult to understand as to how the first informant expected to find the culprits after so many days of the incident.

7. In this view of the matter, at this stage there is no sufficient material against the present applicant warranting his custodial interrogation. Therefore, he deserves protection of anticipatory bail. Hence, the following order.

ORDER

1. In the event of his arrest in connection with C.R.No.360/2019 registered with Daund Police Station, Pune (Rural), the Applicant be released on bail on his furnishing P.R. Bond in the sum of Rs.25,000/- (Rupees Twenty Five Thousand Only) with one or two sureties in the like amount.
2. Application stands disposed of accordingly.

(SARANG V. KOTWAL, J.)