

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

CRIMINAL ANTICIPATORY BAIL APPLICATION NO. 1794 OF 2018

Vinayak Krishna Teli	...	Applicant
V/s.		
The State of Maharashtra	...	Respondent

Mr.Ratnesh Mishra i/b. Law Juris for Applicant.
Mr.S.S. Hulke, A.P.P. for Respondent-State.
Mr.Arjun Ramchandra Shelke, PSI, Manikpur Police Station.

CORAM : A.S. GADKARI, J.

DATE : 15th March 2019.

P.C. :

1] By an order dated 5th September 2018, the applicant was granted interim relief and was directed to attend the Investigating Officer on stipulated dates, to join the process of investigation.

2] Heard the learned counsel for the applicant and the learned APP. Perused the record of investigation.

3] The learned counsel for the applicant submitted that, the First Information Report does not make out a case as contemplated

under Section 498-A of the Indian Penal Code. It is submitted that, it is the only offence which is alleged against the applicant, is non-bailable and rest of the offences alleged are bailable. It is submitted that the applicant has already filed marriage petition for divorce before the Family Court at Bandra and the same is *sub-judice*. He, therefore, prayed that the applicant may be protected by pre-arrest bail.

4] After perusing the First Information Report minutely, *prima-facie*, I find substance in the contention of the learned counsel for the applicant. It further *prima-facie* appears that except a passing reference there are faint allegations of demand of dowry.

5] In view thereof, the applicant can be protected by pre-arrest bail.

Hence, following order :-

- (i) Interim relief granted by order dated 5th September 2018 is hereby confirmed. However, the condition to attend the Investigating Officer is waived.
- (ii) Application is allowed in the aforesaid terms.

[A.S. GADKARI, J.]