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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO.1849 OF 2018

WITH

CRIMINAL APPLICATION NO.1149 OF 2018

1. Ms.Sunita Kiran Jadhav
 2. Ms.Savita Dattatraya Somwanshi,
 3. Vishal Gorakh Pawar ..Applicants.
- V/s.
- The State of Maharashtra ..Respondent.

AND

Ankit Provin Doshi ..Intervenor.

Mr.Piyush Toshnival I/b. Mr.Aashish Satpute for the applicants.

Mr.S.S. Hulke, APP for the respondent-State.

Mr.Abhinav Chandrachud with Mr.Amol B.Joshi i/b. Rane & Co.
for the intervenor.

Mr.Pravin Virsing Padvi, API, Vani police station.

CORAM : NITIN W. SAMBRE, J.

DATE : JANUARY 16, 2019

P.C.:-

Heard learned counsel for the applicant and learned
APP for the State.

2. Learned counsel for the applicants, on instructions, submits that so far as prayer for grant of pre-arrest bail of applicant No.3 Vishal Gorakh Pawar is concerned, he does not press the application as this Court is not inclined to grant the same. Accordingly, application in respect of applicant No.3 stands rejected.

3. So far as applicant Nos.1 and 2 are concerned, there are no serious attributions which warrants their custodial interrogation in crime No.I-123/2018 for offence punishable under sections 323, 324, 392, 397, 452 and 506 of the Indian Penal Code registered with Vani police station, District Nashik.

4. I have considered the role attributed to applicant No.1 for an offence punishable under section 323 of the Indian Penal Code whereas presence of applicant No.2 is only mentioned. That being so, in my opinion, applicant Nos.1 and 2 deserve protection. Hence the order:-

- i) In the event of arrest in Crime crime No.I-123/2018 for offence punishable under sections 323, 324, 392, 397, 452

and 506 of the Indian Penal Code registered with Vani police station, District Nashik, applicant No.1 Sunita Kiran Jadhav and No.2 Savita Dattatraya Somwanshi, be released on bail on their executing P.R. bond of Rs.15,000/- each with one surety each in the like amount;

- ii) The applicants shall attend the Investigating officer on 21st, 23rd, 25th and 29th January, 2019 between 10.00 a.m. to 12.00 noon and thereafter as and when directed;
- iii) The applicants shall not influence the prosecution witnesses or tamper with the evidence;
- iv) The applicants shall co-operate with the investigating agency;
- v) The application stands disposed of accordingly.

5. Perused the communication tendered by Mr.Sanjay Darade, Superintendent of Police, Nashik Rural to the APP dated January 14, 2019 and his order dated January 10, 2019, thereby ordering the suspension of police sub-inspector Mr.Ganesh Babu Suryavanshi, who has tried to tamper the case dairy of the crime in question. He has also ordered a departmental proceedings against the said officer.

6 Original case dairy of present crime which is in custody of this Court, in view of above, be returned to the investigating officer who shall hand over the same to the Superintendent of Police for further action.

(NITIN W. SAMBRE, J.)