

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

ANTICIPATORY BAIL APPLICATION NO. 2261 OF 2018

Omkar Krishnat Randive & Anr. ... Applicants

Versus

State of Maharashtra ... Respondent

Mr. Pavan S. Patil for Applicants.

Mr. Nikhil Pawar for Intervener.

Mr. N. B. Patil, APP for Respondent – State.

CORAM : NITIN W. SAMBRE, J.

DATE : FEBRUARY 12, 2019.

P.C. :

. This Court vide order dated 31st October 2018 has already protected the Applicants by granting ad-interim bail.

2. The investigating agency has already filed the chargesheet against the co-accused and pursuant to the order of interim protection, the Applicants have attended the Investigating Officer.

3. Perusal of the investigation carried out till date, particularly as regards the material placed on record *prima facie* depicts that the

necessary ingredients of Section 306 of Indian Penal Code cannot be inferred from the contents of First Information Report and other material.

4. Similar appears to be a case as regards the provisions of Section 384 of Indian Penal Code, as the First Information Report speaks of indirect threat. That being so, the ad-interim protection granted earlier on 31st October 2018 stands confirmed. In addition that –

- (A) In the event of arrest in Crime No. 164 of 2018 for an offence punishable under Sections 384, 306, 506, 511 read with Section 34 of the Indian Penal Code, the Applicants be released on executing PR Bond of Rs. 25,000/- with one or more sureties each in the like amount.
- (B) The Applicants shall attend the Investigating Officer as and when directed.
- (C) Till filing of chargesheet, the Applicants shall keep themselves away from the jurisdiction of the police station, apart from attending the investigation.

(D) The Applicants shall neither tamper the evidence of prosecution nor influence the prosecution witnesses.

5. Anticipatory Bail Application stands disposed of accordingly.

(NITIN W. SAMBRE, J.)