

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

CRIMINAL ANTICIPATORY BAIL APPLICATION NO. 338 OF 2020

1. Sunil Panditrao Shinde
 2. Dr. Panditrao Deoba Shinde
 3. Anirudh Panditrao Shinde
 4. Sau. Sheetal Arun Galande
 5. Dr. Swati Rohit Salavi
 6. Rohit Chandrakant Salavi
- ...Applicants

Versus

The State of Maharashtra

...Respondent

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Mr. Piyush R. Toshnival, Advocate for the Applicants.

Mr. S. S. Pednekar, APP for the Respondent – State.

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CORAM : PRAKASH D. NAIK, J.

DATE : 21st February, 2020.

PC :

1. The applicants are seeking relief under Section 438 of Cr.PC. in C.R. No. 397 of 2019 dated 4th July, 2019 registered with Shahupuri Police Station, Kolhapur for offences punishable under Sections 420, 499, 509 & 506 r/w Section 34 of Indian Penal Code.
2. The applicants had preferred an application for anticipatory bail before the Sessions Court which has been rejected by order dated 20th November, 2019.
3. On perusal of the said order it can be seen that, learned APP on instructions submitted that the applicants will not be arrested.

The Sessions Court however, rejected the application on the ground that the applicants may be arrested on accusation of the offence. Thus, there remains apprehension of arrest.

4. Learned APP submitted that 41A notice was given to the applicants and in pursuant to that the applicants have attended the Investigating Officer. They were instructed. Statement was recorded and charge-sheet is filed.

5. In view of the above, custodial interrogation of the applicants is not called for. Case for grant of anticipatory bail is made out. Hence, I pass the following order :

ORDER

- i) Anticipatory Bail Application No. 338 of 2020 is allowed;
- ii) In the event of arrest of applicants in C.R. No. 397 of 2019 registered with Shahupuri Police Station, Kolhapur, the applicants be released on bail on furnishing P. R. Bond in the sum of Rs. 25000/-, each with one or more sureties in the like amount;
- iii) Application stands disposed of accordingly.

(PRAKASH D. NAIK, J.)