

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

CRIMINAL ANTICIPATORY BAIL APPLICATION NO. 429 OF 2020

Dipak Dashrath Mastud

...Applicant

Versus

The State of Maharashtra

...Respondent

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Mr. Jaydeep D. Mane, Advocate for the Applicant.

Mr. M. G. Patil, APP for the Respondent – State.

Mr. Salim R. Shaikh, A.S.I. Mohol Police Station, Solapur Rural,
Present.

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CORAM : PRAKASH D. NAIK, J.

DATE : 21st February, 2020.

PC :

1. The applicant is apprehending arrest in C.R. No. 801 of 2019 registered with Mohol Police Station, District Solapur Rural, for offences punishable under Sections 363, 366, r/w Section 34 of Indian Penal Code.

2. The Prosecution case is that, the complaint was lodged by Pandurang Pawane alleging that, on 23rd November 2019 his daughter (victim) aged about 21 years left the house without intimating any one. On search she could not be traced. Missing complaint was lodged with Mohol Police Station. The villagers told the complainant that his daughter was seen with accused Ganesh

Suravase on motorcycle. They were going towards Shetfal from the high way. They also saw Balasaheb Suravase, Deepak Mastud accompanying the accused no.1 on motorcycle. Thus, Netaji @ Balasaheb Survase and Deepak Mastud had aided and abetted the co-accused in abducting his daughter.

3. The applicant preferred application for anticipatory bail before the Sessions Court which has been rejected by order dated 2nd January, 2020.

4. Learned advocate for the applicant submitted that only role that has been ascribed to the applicant is that he had abetted the accused No.1 to elope with victim. The applicant has nothing to do with the affair between accused No.1 and the victim. The victim was aged about 21 years.

5. Learned APP submitted that the victim could not be traced. The investigation is in progress. The main accused is yet to be arrested. Whereabouts of main accused and victim are known to the applicant.

6. Accused Netaji @ Balasaheb Survase was arrested on 28th November, 2019. He was granted bail by this Court vide order dated 29th January, 2020. The role attributed to the said accused and the applicant is similar. Apparently, the victim has voluntarily

accompanied accused No.1. The co-accused was subjected to custody. However, the whereabouts of the accused and the victim could not be revealed. The victim is major lady. Considering the facts of this case, custodial interrogation of the applicant is not necessary.

7. Hence, I pass the following order :

ORDER

- i) Anticipatory Bail Application No. 429 of 2020 is allowed;
- ii) In the event of arrest of applicant in C.R. No. 801 of 2019 registered with Mohol Police Station, District Solapur Rural, the applicant be released on bail on furnishing P. R. Bond in the sum of Rs. 25000/-, with one or more sureties in the like amount;
- iii) The applicant shall attend Investigating Officer on 2nd, 3rd and 4th March, 2020 between 11.00 a.m. to 1.00 p.m. and thereafter as and when called for till filing of charge-sheet.
- iv) Application stands disposed of accordingly.

(PRAKASH D. NAIK, J.)