

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

15 ANTICIPATORY BAIL APPLICATION NO.523 OF 2021

TONY DARSHANLAL PAWAR
VERSUS
THE STATE OF MAHARASHTRA

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Mr. Swapnil Patil, Advocate for the applicant.
Mr. A.V. Deshmukh, A.P.P. for respondent - State.
Ms. Pratiksha Kale, Advocate holding for
Mr. Suvidh Kulkarni, Advocate assisting the PP.

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CORAM : **PRAKASH D. NAIK, J.**

DATE : 29-11-2021

ORDER :

1. This is an application for anticipatory bail in Crime No.41/2021 registered with Muktainagar Police Station, District Jalgaon for the offences punishable under Sections 354, 141, 143, 147, 149 of the Indian Penal Code and under Sections 8 and 12 of the Protection of Children from Sexual Offences Act.

2. The applicant was granted interim protection vide order dated 25th May 2021 and directed to appear before the Investigating Officer as and when required. It was pointed out by the prosecution that the applicant had not appeared before the Investigating Officer in spite of issuing notice to him. Hence, vide order dated 6th October 2021, the applicant was directed to appear before the Investigating Officer on 13th October 2021 and 14th October 2021.

3. Learned A.P.P., on instructions, submitted that the applicant has not appeared before the Investigating Officer. He has not complied the directions of this Court. Police had tried to contact him on his cell phone. It was found switched off. Attempt was made to find him at his residence, but he was not found. He has not cooperated with investigation. Learned A.P.P. produced station diary in that regard.

4. Learned Counsel for the complainant submitted that specific role has been attributed to the applicant in the F.I.R. Learned Counsel for the applicant submitted that considering the facts, interim relief was granted to the applicant.

5. Considering the factual aspect of the matter and also in the light of the fact that the applicant has not cooperated with the investigation inspite of directions, no case is made out for granting relief under Section 438 of the Code of Criminal Procedure in this application. Hence, application stands rejected.

(PRAKASH D. NAIK, J.)

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