

**IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD**

908 ANTICIPATORY BAIL APPLICATION NO.680 OF 2021

Sandip Macchindra Kolse,
Age; 32 years, Occ; Business,
R/o; Trimbakpur, Tal. Rahuri,
District; Ahmednagar.

....Applicant

Versus

State of Maharashtra

....Respondent

...
Advocate for Applicants : Ms.Radhika S. Navandar
APP for Respondent-State : Mrs. V.S. Chaudhari
...

CORAM : SANDEEP K. SHINDE , J.

Date :- 08th July, 2021.

P. C. :

1. Heard the learned counsel for the applicant and the learned APP for the State.
2. Apprehending the arrest in connection with Crime No. 177 of 2021 dated 25.03.2021 with MIDC Police Station, Ahmednagar for the offences punishable under Sections 395, 397, and 427 of Indian Penal Code ('IPC' for short) and 4 read with 25 of the Indian Arms Act, applicant is seeking pre-arrest bail.
3. Complainant is Manager of, the OM Bhagwati Cultural Center, Nandgaon, District Ahmednagar. He reported to police that on 25th March, 2021, at around 1.30 a.m., six unknown persons banged the

gate/door of the cultural Center and demanded the performance of songs and dance. Manager declined their request. Whereupon, six persons mounted attack on the manager by waiving sword and robbed him of Rs. 12,250/-. Manager also reported that the accused had damaged Honda Activa Car and caused loss of Rs. 25,000/-. On this report the subject crime was registered.

4. A remand report dated 01st April, 2021 shows the recovery of Iron Rod, allegedly used in committing the crime and recovery of cash Rs. 12,250/-.

5. Although, the offence was registered in April, 2021, the prosecution has not brought any material to my notice to connect the applicant to the said crime.

6. The learned APP, on instruction, submits that one of the employees of the Kalakendra, who was allegedly present at the time of the incident, when shown photographs, she identified the applicant. In my view, this submission requires no consideration because, the Manager while lodging complaint, did not state that at the relevant time employee of the Kalakendra was also present.

7. Admittedly, applicant has no criminal antecedents. In consideration of the facts of the case, in my view, custodial interrogation of the applicant will not further the prosecution case. The application

therefore granted. Thus, order ;

ORDER

(i)- in the event of arrest of the Applicant in connection with Crime No. 177 of 2021 with MIDC Police Station, Ahmednagar, for the offences punishable under Sections 395, 397, and 427 of Indian Penal Code ('IPC' for short) and 4 read with 25 of the Indian Arms Act, he shall be released on bail on executing P.R. bond in the sum of Rs. 20,000/- (Rupees Twenty Thousand) with one or two sureties in the like amount.

ii) The Applicant shall report to the concerned Police Station on 15th, 22nd, 29th July, 2021 between 11.00 to 5.00 p.m. and thereafter, as and when called by the Investigating Officer.

8. Application is allowed and disposed of.

**(SANDEEP K. SHINDE)
JUDGE**

mahajansb/