

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

36 ANTICIPATORY BAIL APPLICATION NO.1077 OF 2021

Sachin Manohar Shinde ...Applicant

Versus

The State of Maharashtra ...Respondent

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Advocate for the Applicant : Mr. H. U. Dhage

APP for the Respondent – State : Mr. S. B. Narwade

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CORAM : PRAKASH D. NAIK, J.

DATE : 04th OCTOBER, 2021

PER COURT :-

1. The applicant is apprehending arrest in Crime No. 0177/2021 registered with MIDC Police Station, District Ahmednagar for the offences punishable under Sections 395, 397 and 427 of the Indian Penal Code and Section 4 read with 25 of the Indian Arms Act.

2. The complainant is a Manager of “OM Bhagwati Cultural Centre”, Nandgaon, District Ahmednagar. In the First Information Report (for short “FIR”) it is alleged that six unknown persons had barged into Cultural Centre and demanded the performance of dance. On refusal they

attacked the Manager and threatened by waiving weapons and also caused damage to the vehicle and took away amount of Rs. 12,250/-.

3. Learned counsel for the applicant submitted that the applicant is falsely implicated in this crime. There is no evidence to show the involvement of applicant in this crime. The other accused who are also unknown and sought to be arrested during the course of investigation and preferred Anticipatory Bail Application No.680 of 2021 before this Court which was allowed vide order dated 08th July, 2021. The cash involved in the crime has been recovered. Custodial interrogation of the applicant is not required.

4. Learned APP submitted that there is involvement of the applicant in the crime. During the course of investigation the co-accused had disclosed the participation of the applicant in the offence. His custodial interrogation is necessary.

5. It is pertinent to note that this Court has granted anticipatory bail to Sandip Macchindra Kolse vide order dated 08th July, 2021. Similar allegations were made against him. The FIR was initially lodged against unknown persons.

6. Considering the factual aspect of this matter, the custodial interrogation of the applicant is not necessary.

ORDER

(i) Anticipatory Bail Application No.1077 of 2021 is allowed.

(ii) In the event of arrest of the applicant in Crime No. 0177/2021 registered with MIDC Police Station, District Ahmednagar, the applicant be released on bail on executing PR bond in the sum of Rs.25,000/- (Rupees Twenty Five Thousand only) with one or more sureties in the like amount.

(iii) The applicant shall report Investigating Officer on 12th, 13th and 14th October, 2021 between 11.00 a.m. to 01.00 p.m. and thereafter, as and when called for till filing of the charge-sheet.

(iv) Application stands disposed of.

(PRAKASH D. NAIK)
JUDGE

shp/-