

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

934 ANTICIPATORY BAIL APPLICATION NO.1446 OF 2021

SAMADHAN MADHUKAR SALUNKE
VERSUS
THE STATE OF MAHARASHTRA

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Mr. G.R. Syed, Advocate for the applicant.
Mr. A.V. Deshmukh, A.P.P. for respondent - State.

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

DATE : 17-12-2021

ORDER :

1. The applicant is apprehending arrest in connection with Crime No. 902 of 2021 registered with Nandurbar City Police Station, District Nandurbar for the offence under Sections 354-A, 392, 448, 504 read with Section 34 of the Indian Penal Code (in short "I.P.C.").

2. The complainant has alleged that on 01.11.2021, the applicant and three other persons visited her house and enquired about Girish. The complainant informed that he is not available. At that point of time, accused abused her in filthy language. She told them not to abuse her. Applicant pulled her sari. Accused fled from the place of incident. While summarizing contents of the FIR, it is alleged that accused snatched her gold chain.

3. Learned counsel for the applicant contended that the FIR is false. FIR was lodged at the instance of the applicant prior to the alleged incident which was registered vide Crime No. 901/2021 for the offences under section 394, 327, 385, 323, 504, 506 read with Section 34 of IPC and Sections 3(1)(r), 3(1)s, 3(2)(va) of the Scheduled Caste and Scheduled Tribe Prevention of Atrocities Act against Giru Marathe and another.

4. Learned A.P.P. in fairness, on instructions, submitted that CCTV Footage Script panchnama was prepared on 5th November 2021 which indicates that at the time of alleged incident the applicant was at Police Station.

5. In view of the aforesaid circumstances, interim relief granted to the applicant can be confirmed. Hence, the following order.

ORDER

- (i) ABA No.1446 of 2021 is allowed.
- (ii) In the event of arrest of the applicant in Crime No.902/2021 registered with Nandurbar City Police Station, District Nandurbar, the applicant be released on bail on executing P.R. bond in the sum of Rs. 25,000/- with one or more sureties in the like amount.
- (iii) The applicant shall report the Investigating Officer as and when called for, till filing of the charge-sheet.

(iv) Anticipatory Bail Application stands disposed of.

(PRAKASH D. NAIK, J.)

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