

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

**CRIMINAL ANTICIPATORY BAIL APPLICATION NO.128 OF 2021**

Divesh Ramsanehi Yadav ... Applicant

Versus

The State of Maharashtra ... Respondent

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Mr. Shrishail Sakhare, Advocate for the Applicant.

Mrs. Anamika Malhotra, APP for the Respondent – State.

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

**DATE : 20<sup>th</sup> JANUARY, 2021.**

**PER COURT:**

1. This is an application for anticipatory bail in connection with C.R. No. 898 of 2020 registered with Dindoshi Police Station, Mumbai for offences under Sections 143, 147, 149, 327, 324, 323, 504 & 506 of Indian Penal Code.

2. It appears that the dispute is over the property. The complainant is the brother of applicant. The FIR was lodged against family members.

3. The applicant and the other accused had preferred application for anticipatory bail before the Sessions Court. However, the relief was refused to the applicant and granted to the other accused. The complaint was lodged against the father, brother, sister-in-law of the complainant. The FIR was lodged on 11<sup>th</sup> December

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2020. The grievance of the complainant is that, on 14<sup>th</sup> May, 2020 the accused were found constructing the wall on the plot on land owned by the complainant. He was assaulted by fist blows.

4. Considering the nature of allegations, I do not find that the applicant is required to be subjected to custodial interrogation. The applicant can be directed to cooperate with the investigation. Hence, I pass following order:

**ORDER**

- (i) Anticipatory Bail Application No.128 of 2021 is allowed;
- (ii) In the event of arrest of the applicant in connection with C.R. No. 898 of 2020 registered with Dindoshi Police Station, Mumbai, the applicant be released on bail on furnishing P. R. Bond in the sum of Rs.25,000/- with one or more sureties in the like amount;
- (iii) The applicant shall attend the investigating officer as and when called for.
- (iv) Anticipatory Bail Application stands disposed of accordingly.

5. This order will be digitally signed by the Private Secretary/Personal Assistant of this Court. All concerned will act on production by fax or email of a digitally signed copy of this order.

**(PRAKASH D. NAIK, J.)**