

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

ANTICIPATORY BAIL APPLICATION NO. 1123 OF 2021

Bapu Bhima Pradhan ... Applicant

Versus

The State of Maharashtra ... Respondent

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Mr. Vaibhav V. Ugle, Advocate for the Applicant.

Mr. A. R. Kapadnis, APP for the Respondent – State.

Mr. Sandip Chavan, (P.S.I.) Sakinaka Police Thane, Mumbai, Present.

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CORAM : PRAKASH D. NAIK, J.

DATE : 3rd MAY, 2021

PER COURT:

1. This is an application for anticipatory bail in C.R. No. 179 of 2021 registered with Sakinaka Police Station, Mumbai for offences under Sections 452, 323, 509 r/w Section 34 of Indian Penal Code (for short “IPC”).

2. The First Information Report (for short ‘FIR’) was registered on 4th March, 2021. The complainant is wife of applicant. On 3rd March, 2021 she found applicant and co-accused Ganga together in the house. The complainant questioned Ganga. There was quarrel. The complainant was abused. Thereafter, co-accused Ganga and her husband Shivling returned to the place of incident at the instance of applicant. She was assaulted by applicant and the co-

accused with fist blows. Her Mangalsutra was missing.

3. Cross FIR has been registered by Gangabai Halge on the same day vide C.R. No. 180 of 2021 for offences under Sections 143, 509 & 323 of IPC against son of the complainant and others.

4. The applicant and co-accused Gangabai Halge and Shivlingappa Halge had preferred application for anticipatory bail before the Sessions Court. The co-accused were granted anticipatory bail whereas the application of the applicant was rejected.

5. Apparently, there is dispute between applicant and his wife (complainant). The FIR indicate that complainant is suspecting that the applicant is in relationship with the co-accused. Except Section 452 all the other offences are bailable in nature. Considering the nature of allegations custodial interrogation of the applicant is not necessary. Hence, I pass the following order:

ORDER

(i) Anticipatory Bail Application No. 1123 of 2021 is allowed;

(ii) In the event of arrest of the applicant in connection with in C.R. No. 179 of 2021 registered with Sakinaka 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 report the investigating officer on 10th 11th & 12th May, 2021 between 11.00 a.m. to 1.00 noon and thereafter as and when called for till filing of charge-sheet.

(iv) Anticipatory Bail Application stands disposed of accordingly.

(PRAKASH D. NAIK, J.)