

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

ANT. BAIL APPLICATION NO.1897 OF 2021

Abhinay S/O Dilip Khot ... Applicant
Vs
The State of Maharashtra ... Respondents
...

Mr. Rajendra Raghuwanshi with Mr. Pralhad Bachake
i/by Mr. Ratnesh M. Dube for the Applicant.
Ms. P.P. Shinde, APP for the Respondent-State.
Sr. PI Alka Pandave attached to Vile Parle P.Stn. Present.

CORAM : SANDEEP K. SHINDE J.
DATE : 11th AUGUST, 2021.

P.C. :

Heard.

2 Applicant seeks pre-arrest bail in connection with the Crime No.351 of 2021 registered at Pawai Police Station for the offences punishable under Sections 376(j)(n), 328, 384, 120-B, 500, 504, 506, 509 of the Indian Penal Code, 1860 and Section 66 (C) of the Information Technology Act, 2000.

3 Applicant is a practising lawyer. He had represented Sandip Thakur (Accused No.1) at-least in two cases. The Complainant is 37 year old lady. She is Assistant Inspector of Police attached to Meghwadi Police Station, Jogeshwari (East). A friendship of the complainant with Sandip Thakur since 2019 gradually grew. Both moved from one place to another and submitted themselves to their physical desires. Complainant would allege that accused no.1-Sandip Thakur had recorded her obscene videos/photos. Recurringly, he was threatening to make the videos viral on the social platform. On this pretext, he extracted substantial amount from her. Whereas, only allegation against the applicant is that he used to persuade the complainant to marry Sandip Thakur. Except this, stray allegation, there are no other allegations against the applicant.

4 The learned counsel for the applicant would submit, accused no.1 Sandip Thakur has been arrested and his mobile is also recovered by the police. It is submitted that the allegations against the applicant being vague and indefinite, his custodial interrogation is not required. It is submitted that applicant being practising lawyer at Aurangabad, has firm roots in the society and he would be always available for investigation and trial. It is submitted that being lawyer, if he is arrested, it would malign his reputation. Applicant seeks pre-arrest bail on these grounds.

5 I have perused the First Information Report. Material allegations are against accused no.1-Sandip Thakur. Allegation against the applicant, that he was insisting and persuading complainant to marry with Sandip Thakur-Accused No.1 manifestly requires no custodial interrogation.

6 For the reasons stated above, applicant is granted pre-arrest bail. Hence, the following order:

ORDER

(I) In the event of arrest of the applicant in Crime No. 351 of 2021 registered with Pawai Police Station, he shall be released on executing PR bond for the sum of Rs.25,000/- with one or more sureties in like sum.

(ii) The applicant shall attend the concerned police station as and when called.

(iii) The applicant shall not tamper with the evidence or attempt to influence or contact the complainant, witnesses or any person concerned with the case

7 The application is accordingly allowed and disposed of.

8 It is made clear that observations made here-in-above be construed as expression of opinion for the purpose of bail only and the same shall not in any way influence the trial in other proceedings.

(SANDEEP K. SHINDE, J.)