

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO. 2447 OF 2021

Akshay @ Bhorya Bapurao Jadhav ...Applicant

Versus

The State of Maharashtra ...Respondent

.....
Mr.Devidas Jadhav i/b. Mr.Ghansham Jadhav for the
Applicant.
Ms. P.N. Dabholkar, APP for the Respondent -State.
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CORAM: V.G.BISHT, J.
DATE: 16TH NOVEMBER, 2021

PC:-

1. The present application has been moved by the applicant under Section 438 of the Code of Criminal Procedure apprehending arrest under Sections 392 and 427 of the Indian Penal Code (the IPC) registered vide Crime No. I-136 of 2020 with Baramati City Police Station, District – Pune.
2. The case of prosecution is that on 11th March, 2020 when informant demanded monies from applicant, which he was owing to him, the applicant asked informant as to why he

had gone to his father to demand monies and then started beating him by means of hands. The prosecution further alleges that the applicant and his friend then removed four thousand rupees from the pocket of the shirt of informant. Informant later on lodged report.

3. Mr. Jadhav, learned Counsel for the applicant, submits that having regard to the nature of accusation and the fact that most of the investigation is completed, ad-interim protection granted to the applicant may be confirmed.

4. Ms. Dabholkar, learned APP, on the other hand, submits that informant has filed an affidavit in Baramati Court stating that he had filed a complaint against the present applicant by mistake and has no grudge against him. The investigating officer is also present, who also confirms the facts narrated by learned APP. Learned APP then submits that an appropriate order may be passed.

5. In view of the submission made by learned APP and even otherwise, having regard to the nature of accusation, in my considered opinion, the applicant deserves benefit of pre-arrest bail. Hence, the following order :

ORDER

- i) The application is allowed.
- ii) In the event of his arrest in Crime No. I-136 of 2020 for the offences punishable under Sections 392 and 427 of the IPC registered with Baramati City Police Station, Pune , the applicant be released on bail on executing PR Bond in sum of Rs. 20,000/- with one surety in like amount.
- iii) The application stands disposed of accordingly.

(V.G.BISHT, J.)

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