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IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

ANTICIPATORY BAIL APPLICATION NO.1361 OF 2022

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| 1. Ganesh Vishwanath Shrirame
Age – 26 years, Occ – Private Service | APPLICANTS |
| 2. Manik Vishwanath Shrirame
Age – 42 years, Occ – Private Service | |
| 3. Akash @ Prathmesh Manik Shrirame
Age – 19 years, Occ – Education | |

All R/o Hadoli Jahagir, Taluka – Loha
District Nanded, at present
Krushnanagar Hadapsar, Taluka – Haveli,
District – Pune

VERSUS

The State of Maharashtra Through Police Inspector Police Station Malakoli Taluka – Loha, District – Nanded	RESPONDENT
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Mr. Murlidhar S. Karad, Advocate for the applicants
Mr. V. S. Badakh, APP for respondent - State

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[CORAM : NITIN B. SURYAWANSHI, J.]

DATE : 18th OCTOBER, 2022

ORDER :

1. The informant approached the Court of Judicial Magistrate First Class and filed private complaint seeking direction for investigation under section 156 (3) of the Code of Criminal Procedure. Pursuant to the direction of the Judicial Magistrate

First Class, the FIR in question is registered against the applicants at Malakoli police station at Crime No. 0242 of 2020 for the offence punishable under sections 452, 545, 324, 294, 504, 506 read with 34 of the Indian Penal Code, allegedly committed on 22nd November, 2020.

2. It is the prosecution case that the applicants forcibly entered the house of the informant, by breaking open the door, abused him and his family members in filthy language and assaulted them and snatched certain golden ornaments. The applicants, therefore, apprehending arrest, have approached this Court.

3. After hearing the learned advocate for the applicants and the learned Additional Public Prosecutor for the State and on perusal of the investigation papers, it is clear that there were earlier complaints lodged against the family members of the informant, by the family members of the applicants, since 2016 onwards. In the FIR lodged by the father of applicants, offence at Crime No. 246 of 2020 was registered against the two sons of the informant at Malakoli police station for the offence punishable under sections 435 read with 34 of the Indian Penal Code. It is informed at the bar that charge sheet is filed in the said case against the two sons of the informant. In the

supplementary statement recorded of the informant, he has not stated about snatching of the golden ornaments.

4. Possibility of false implication of the applicants No.1 and 2, who claim to be in private service at Pune and applicant No.3, being son of applicant No.2, who is taking education at Pune, cannot be ruled out. The applicants, therefore, deserve protection in the peculiar facts of the case.

5. The application is allowed in terms of the interim order dated 11th October, 2022. Till filing of the charge sheet, the applicants shall attend the concerned police station as and when called by the Investigation Officer.

[NITIN B. SURYAWANSHI]
JUDGE