

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

ANTICIPATORY BAIL APPLICATION NO.1502 OF 2022

Anand Ashok Khillare And Others ...Applicants

Versus

The State Of Maharashtra & Another ...Respondents

Mr. A.B. Dhongade, Advocate for the applicants.

Mr. N.T. Bhagat, APP for State.

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[CORAM : NITIN B. SURYAWANSHI, J.]

DATE : 17th NOVEMBER, 2022

ORDER :

1. Heard the learned advocate for the applicants and learned Additional Public Prosecutor for respondent-State. Perused the investigation papers.

2. First Information Report in question is lodged by the informant in short alleging that her in-laws forcibly tried to administer poisonous substance to her but because of her resistance they could not succeed.

3. Applicant No. 1-husband has filed Application No. 147/2022 against the informant under section 9 of Hindu

Marriage Act, 1955 for restitution of conjugal rights. In the said case, after service of summons on the informant, present First Information Report appears to have been lodged so as to pressurize the in-laws.

4. Perusal of investigation papers prima facie reveal that possibility of false implication of applicants cannot be ruled out at this stage.

5. The applicants were granted interim protection and they have co-operated in the investigation. Custodial detention of applicants at pre-trial stage is not warranted in the facts of the presents. In that view of the matter, the application is allowed in terms of interim order dated 4th November, 2022.

6. Till filing of charge sheet, the applicants to attend the concerned police station as and when called by the investigating officer. The applicants shall not tamper the prosecution evidence.

[NITIN B. SURYAWANSHI, J.]