

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

CRIMINAL ANTICIPATORY BAIL APPLICATION NO.929 OF 2022

1. Babasaheb Maruti Nikam	
2. Swapnil Babasaheb Nikam	...Applicants
Vs.	
The State of Maharashtra	... Respondent

Ms.Keral Mehta for the Applicants.
Mr.A.R. Kapadnis, APP for the Respondent-State.

CORAM : C.V. BHADANG, J.

DATE : 7 APRIL 2022

P.C.

1. The Applicant, apprehending arrest, in connection with the investigation of Crime No.161 of 2022, registered with Sangola Police Station, under Section 307, 494, 323, 504, 143, 147, 149 of Indian Penal Code, is seeking anticipatory bail.

2. The aforesaid crime is registered on the basis of the complaint dated 14 February 2022 lodged by Manisha Vijay Bhosale. The Applicant No.1 happens to be the husband of the sister-in-law of the Complainant and the Applicant No.2 is the son of Applicant No.1.

3. I have heard the learned counsel for the parties. I have gone through the FIR.

4. The allegations are that out of the matrimonial dispute between the complainant and her husband, the Applicant and the co-accused had assaulted the informant and she was forced to drink some poison. The complainant fell unconscious and was admitted in the hospital. She was discharged on the following day. Some of the co-accused have been granted anticipatory bail by the learned Sessions Judge. However, the Applicants have been refused pre arrest bail.

5. The learned counsel for the Applicants submitted that the Applicants have no role in the matter.

6. The learned APP submitted that the matter is serious which requires investigation in which the custodial interrogation of the Applicants is necessary.

7. I have considered, the circumstances and the submissions made. A perusal of the FIR shows that there are specific allegations made against the Applicants of attempt to forcibly administer some poison/stupefying substance to the complainant. The matter is at an early stage of the investigation and proper investigation of the matter is paramount

consideration for which the custodial interrogation of the Applicant is warranted. No case for grant of pre arrest bail is made out. The Criminal Application is rejected.

C.V. BHADANG, J.