

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO.943 OF 2022

Bhagwan Bhanudas Bhangre	...	Applicant
Vs.		
State of Maharashtra	...	Respondent

Mr. Jaydeep D. Mane for Applicant.

Mr. N. B. Patil, APP for Respondent-State.

Mr. Chetan Badal Pawar and Mr. Nagnath Sharad Gulve, Police
Constables, Faujdar Chavadi Police Station, Solapur City.

CORAM : NITIN W. SAMBRE, J.

DATE : SEPTEMBER 22, 2022

P.C. :

Heard.

2. The applicant is seeking pre-arrest bail in Crime No.99 of 2022 registered with Faujdar Chavadi Police Station, District - Solapur (City) for the offence punishable under Sections 379, 380 read with Section 34 of the Indian Penal Code.

3. This Court, *vide* reasoned order dated 07.04.2022, has granted interim protection in favour of the applicant.

4. Son of the applicant - Nitin expired, who was in the business of providing generators on rent. There appears to be dispute with regard to custody of generators between the widow of Nitin namely, Dipali, who is a complainant and the applicant. It is claimed by the applicant so also the complainant - Dipali that they are the owners of the entire business equipments.

5. *Prima facie*, it appears that the immovable property, which is the subject matter of the offence in question, is either in possession of the applicant or the complainant - Dipali or seized by the police authorities.

6. The dispute *inter se* between the complainant and the applicant can be resolved in a civil court. However, there is hardly any material to

infer the involvement of the applicant in the commission of offence in question, particularly having regard to the nature of relationship between the complainant and the applicant. That being so, the applicant in the event of arrest is required to be protected by granting pre-arrest bail.

7. In view thereof, in the event of arrest of the applicant in Crime No.99 of 2022 registered with Faujdar Chavadi Police Station, District - Solapur (City) for the offence punishable under Sections 379, 380 read with Section 34 of the IPC, he be released on bail on executing P.R. Bond in the sum of Rs.15,000/- with one or two sureties in the like amount. Applicant shall attend the Investigating Officer from 26th to 30th September, 2022 between 10:00 a.m. and 12 noon and thereafter as and when directed by the Investigating Officer. The said applicant shall not directly or indirectly try to influence the prosecution witnesses and tamper with the evidence.

8. Application is disposed of.

(NITIN W. SAMBRE, J.)

Minal Parab