

IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO.2510 OF 2022

1. Babalu @ Mauli Popat Jagtap  
2. Navnath Mahadev Jagtap ... Applicants

Vs.

State of Maharashtra ... Respondent

Mr. Jaydeep D. Mane a/w. Ms. Divyashree Shanbhag for Applicants.

Mr. A. A. Palkar, APP for Respondent-State.

Mr. Sharad Bhosale for Intervenor.

**CORAM : NITIN W. SAMBRE, J.**

**DATE : SEPTEMBER 21, 2022**

**P.C. :**

Heard.

2. The applicants are seeking pre-arrest bail in Crime No.201 of 2022 registered with Kurduwadi Police Station, District - Solapur (Rural) for the offence punishable under Sections 195-A, 385, 506 read with Section 34 of the Indian Penal Code.

3. The case of the prosecution is, on 28.04.2022, the complainant along with her son had been to field at around 9:30 a.m. at which point of time, the applicants threatened the complainant and her son, extracted certain confessions and also demanded money.

4. Submissions of counsel for the applicants are, a counter offence pursuant to the FIR in question came to be registered viz., Crime No.75 of 2022 with Kurduwadi Police Station for the offence punishable under Sections 143, 144, 147, 148, 149, 324, 326, 327, 427, 452, 504 and 506 IPC. He would urge that there existed civil dispute between the parties. It is further claimed that the applicants are very much available for the investigation. My attention is also invited to the order dated 25.08.2022 passed by this Court in ABA No.2295 of 2022 wherein the pre-arrest bail is granted to the applicant in Crime No.184 of 2022, which was also registered at the behest of

the very same complainant.

5. Learned APP, on instructions, submits that custodial interrogation of the applicants is not required. However, the applicants must be put to strict conditions as there are NCs registered against them and there is likelihood of threats by the applicants.

6. The aforesaid contentions are supported by counsel for the complainant.

7. I have appreciated the submissions.

8. The facts about the pendency of the civil dispute and the release of applicant No.1 *vide* ad-interim order dated 25.08.2022 in ABA No.2295 of 2022 in Crime No.184 of 2022 are not in dispute. However, a perusal of the FIR *prima facie* demonstrates that the contents therein are not reposing faith in the story of the prosecution, particularly having regard to the differences between the parties.

9. That being so, the statement made by APP, on instructions, is accepted.

10. In view thereof, in the event of arrest of the applicants in Crime No.201 of 2022 registered with Kurduwadi Police Station, District - Solapur (Rural) for the offence punishable under Sections 195-A, 385, 506 read with Section 34 of the IPC, they be released on bail on executing P.R. Bond in the sum of Rs.15,000/- each with one or two sureties in the like amount. The said applicants shall not directly or indirectly try to influence the prosecution witnesses and tamper with the evidence. Applicants shall remain outside the jurisdiction of the police station. However, they shall attend the investigating officer and the court proceedings as and when directed / scheduled. The applicants shall furnish their contact numbers to the investigating officer so as to enable him to summon them as and when required.

11. Application is disposed of.

**(NITIN W. SAMBRE, J.)**