

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

ANTICIPATORY BAIL APPLICATION NO. 151 OF 2022

Vrandavani Indrajit Patil	APPLICANT
V/S	
The State Of Maharashtra .	...RESPONDENT

**WITH
ANTICIPATORY BAIL APPLICATION NO. 152 OF 2022**

Parthesh Ravindra Patil	APPLICANT
V/S	
The State Of Maharashtra	RESPONDENT

Mr. Dilip Shinde i/b. Mr. Rahul B. Khot for the Applicants in both the ABA
Ms. G. P. Mulekar, APP for the respondent-State.

CORAM : NITIN W. SAMBRE, J.

DATED : 12th SEPTEMBER, 2022

P.C.:

1. The prosecution case against the applicants is as under.
2. That the applicants with common intentions so as to recover the amount from the complainant and his son has abducted and assaulted them.
3. It is not disputed that the investigation in the matter is over as charge-sheet is already tendered before the Court below.
4. The applicant-Vrandavani is named as accused no. 10 whereas the applicant-Parthesh is named as accused no. 8. Both

these accused are since not available, liberty is claimed for filing independent charge-sheet during submitting charge-sheet before the Trial Court.

5. The submissions of the counsel for the applicants are both the applicants are falsely implicated in the offence. According to him, the applicant-Vrandavani is a female and only role attributed to her in FIR is that of assault on the 2nd day of incident by hockey stick. As far as the role attributed to the applicant-Parthesh who is accused no. 8 is concerned general allegations of assault are made.

6. The submissions are there are no criminal antecedents against the applicants nor any aggravated roles are attributed to the applicants in the commission of crime for which demand of custodial interrogation is justified.

7. Learned APP while opposing the prayer would urge that both the victims have specifically named the applicants who alleged to have actively participated in the commission of the crime. It is also urged that the weapon (hockey stick) is to be recovered from the accused-Vrandavani. Further contentions are considering the nature of the injuries suffered by the victims, the applicants do not deserve protection.

8. I have appreciated the aforesaid submissions.

9. It appears that the prosecution case is based on a phone call made by one of the co-accused calling the applicants to meet at a particular place which is said to be the initial spot of the offence in question. It is mentioned in the FIR that 7 to 8 persons initially assaulted the complainant on the date of the incident thereby demanding return of amount, which was accepted by the complainant by promising public employment.

10. As far as the accused-Parthesh is concerned, he is not specifically named in the FIR. As far as the accused-Vrandavani is concerned she is also not named in the FIR.

11. The investigation carried out till date depicts that the victims have suffered simple injuries. Though it is claimed that applicant-Vrandavani on the next day has hit the victims with the hockey stick, said fact in my opinion is not believable particularly when initially the victims have claimed that they were abducted by 7 to 8 persons and the presence of the said accused-Vrundavani was not mentioned.

12. In the aforesaid background, in my opinion case for confirmation of ad-interim relief is made out.

13. In the event of arrest of applicants in Crime No. 699 of

2021 registered with Vadgaon Police Station, for the offence punishable under Sections 365, 323 & 34 of IPC, applicants be released on bail on furnishing P.R. Bond in the sum of Rs.20,000/- each with one or more sureties in the like amount.

14. The applicants shall neither directly or indirectly influence the prosecution witnesses nor tamper with the evidence.

15. The applicants shall attend the Investigating Officer from 16/09/2022 to 29/09/2022 between 10.00 A.M. to 12.00 Noon and thereafter as and when directed by the Investigating Officer.

16. The applications stand disposed of.

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ANANT KRISHNA
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Date: 2022.09.16
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(NITIN W. SAMBRE, J.)