

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO. 490 of 2022

Abdul Raheman @ Raju Rauf

Chikhlekar

.. Applicant

Versus

The State of Maharashtra

.. Respondent

...

Mr. Kushal Mor for the applicant.

Mr. M.G.Patil, APP for the State.

CORAM: BHARATI DANGRE, J.

DATED : 9th MARCH, 2022

P.C:-

1 Heard learned counsel for the applicant and learned APP for the State.

2 The applicant is apprehending his arrest in connection with C.R.No. 277/2019 registered with Padgha police station on 7/10/2019. The said C.R invoke offence punishable under Section 353 and Section 143 of the IPC along with Section 37(1), 135 of the Maharashtra Police Act.

3 Perusal of the complaint lodged by Santosh Dagle on 7/10/2019, allege that while patrolling team received secret information and they reached the area mentioned in the

complaint, the applicant arrived at the spot and threatened him. The said incident took place in the background that three unknown persons descended from the pick up van and the applicant is particularly alleged of threatening the complainant when he sought his permit to transport the wood. It is alleged that his younger brother also participated in the incident and the present applicant held the complainant by his collar and his brother picked up a stone and when he was about to throw it at him, two employees of the patrolling team intervened and restrained him. It is also alleged that the applicant's brother, being armed with a wooden stick, rushed towards him, but was intercepted.

4 The aforesaid incident is reported on 7/10/2019 and it is informed that on completion of investigation, a charge-sheet is filed in the Competent Court against accused no.1 who came to be arrested on 17/4/2021. As far as the present applicant and his brother is concerned, they are shown to be absconding. In the wake of the allegations, the complaint is lodged in the year 2019 and particularly when the investigation in the said C.R is now complete, and the co-accused came to be released on regular bail, in the wake of the fact that there is no recovery to be effected and since the investigation is over, the applicant's custodial interrogation is not at all warranted. Hence, the following order :-

Tilak

ORDER

- (a) In the event of his arrest, the Applicant – Abdul Raheman @ Raju Rauf Chikhlekar in connection of C.R.No.277/2019 registered with Padgha police station shall be released on bail on furnishing P.R. bond to the extent of Rs.25,000/- with one or two sureties of the like amount.
- (b) The applicant shall not directly or indirectly make any inducement, threat or promise to any person acquainted with facts of case so as to dissuade him from disclosing the facts to Court or any Police Officer and should not tamper with evidence.
- (c) The Applicant shall co-operate with the investigation by marking his attendance to the Investigating Officer on every Thursday between 2.00 p.m to 5.00 pm for a period of four weeks.
- 5 The Application is allowed in the aforestated terms.

SMT. BHARATI DANGRE, J