

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

ANTICIPATORY BAIL APPLICATION NO.1850 OF 2021

1. Eknath Vitthal Shinde
Age 55 yrs, Occ: Retired,

2. Amit Eknath Shinde
Age 32 yrs, Occ: service

Both R/at :R/o :-Flat No.2,
Gurukrupa Niwas, Ashtavinayak
Colony, Wada road, Rajgurunagar,
Taluka-Khed, District-Pune Applicants.

Versus

The State of Maharashtra
(At the instance of the P.I.Ambad
Police Station, District-Nashik) Respondents.

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Mr Aniket Nikam, Advocate i/b Mr Vivek Arote for the
Applicant.

Mr V.B.Konde Deshmukh, APP for the State.

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CORAM : R. N. LADDHA, J.

DATE : 13 DECEMBER 2022.

P.C.:

In this application, the Applicants have approached
this Court seeking anticipatory bail in connection with an FIR
bearing C.R.No.198/2021 registered against them at Ambad Police

Station, Ambad, District-Nashik under Sections 498-A, 306, 354, 323 r/w Section 34 of the Indian Penal Code.

2. On 10.08.2021, when this application came up for consideration, this Court found that a prima facie case for grant of ad-interim protection/temporary bail was made out by the Applicants and that as such ad-interim protection/temporary bail could be granted subject to the Applicants to report to the Ambad Police Station on every Tuesday and Saturday between 10.00 a.m. and 1.00 p.m. and cooperate with the investigation. Consequently, the following order granting ad-interim protection/temporary bail was passed in favour of the Applicants.

a) In the event of arrest, the Applicants-(1) Eknath Vitthal Shinde and (2) Amit Eknath Shinde, shall be released on temporary bail in C.R.No.198/2021 registered with Ambad Police Station, District-Nashik, on executing P.R.Bond to the extent of Rs. 25,000/- each and furnishing one or two sureties of the like amount.

b) The Applicants shall not directly or indirectly make any inducement/threat or promise to any person acquainted with facts of case and shall not tamper with prosecution evidence.

c) The Applicants shall report to Ambad Police Station, Dist.-Nashik, on every Tuesday and Saturday between 10.00 a.m. and 1.00 p.m till the next date of hearing.”

3. Today, when the application is listed for further consideration, Mr Aniket Nikam, learned Counsel appearing for the Applicants submitted that, the Applicants had attended the Police Station and cooperated with the investigation and that, therefore, the application may be allowed in the interest of justice.

4. Mr V.B. Konde Deshmukh, learned Additional Public Prosecutor confirms that the Applicants have indeed cooperated with the investigation. He submits that this Court may issue appropriate directions to the Applicants to attend the jurisdictional Court regularly as the charge sheet was filed on 11.06.2022.

5. Considering the reasons stated in the order dated 10.08.2021 granting ad-interim protection/temporary bail to the Applicants and the admitted position that in terms of the directions given by this Court, the Applicants have regularly attended the Police Station and presented themselves before the Investigating Officer, thereby indicating that they have cooperated with the investigation, this Court is inclined to confirm interim protection/temporary bail by allowing the present application.

6. Given the above, the application is allowed in the following terms.

ORDER

a) It is directed that in the event the Applicants are arrested in connection with C.R.No.198 of 2021 registered at Ambad

Police Station for the offences punishable under Sections 498-A, 306, 354, 323 r/w Section 34 of the Indian Penal Code, they shall be released on bail on furnishing a P.R.Bond of Rs.25,000/- each and surety in the like.

b) The Applicants shall not, themselves or through any other person, indulge in any activity that would tamper with the evidence or influence the witnesses.

[R. N. LADDHA, J.]