

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

ANTICIPATORY BAIL APPLICATION NO. 1871 OF 2022

Mr. Nitin Vishnu Shinde	 Applicant
v/s.	
The State of Maharashtra	 Respondent

Mr. Nilesh Pandey a/w. Mr. M.V. Thorat, Amar Bodake,
Madhav Kulkarni for the Applicant.
Mr. Y.Y. Dabke, APP for the State.

CORAM: SMT. ANUJA PRABHUDESSAI, J.

DATED : 24th AUGUST, 2022.

P. C. :-

1. This is an Application under section 438 of Cr.P.C. for pre-arrest bail in C.R.No.405/2022 registered with Karveer Police Station, Dist. Kolhapur for offences punishable under sections 354, 323, 504, 506 r/w. 34 of the Indian Penal Code.

2. Heard learned counsel for the Applicant and learned APP for the State. I have perused the records and considered the submissions advanced by the learned counsel for the respective parties.

3. The aforesaid crime was registered pursuant to the First Information Report lodged by the victim. She has alleged that on

13/06/2022, the father of the Applicant had encroached upon their property. While she was removing the encroachment, the Applicant held her hand and placed his hand on her chest and threatened to enter her house and assault her after removing her clothes.

4. The records prima facie indicate that there is a property dispute between the parties. Considering the nature of the accusations, this Court (Coram : N.J. Jamadar, J.) by order dated 11/07/2022 granted interim bail to the Applicant. The Applicant has reported to the Investigating Officer and he has been duly interrogated. It is stated that the investigation is completed and that the charge sheet is ready and will be filed in due course.

5. Considering the above facts and circumstances, this is not a case which would warrant custodial interrogation. Hence, the Application is allowed on following terms and conditions :-

(a) In the event of arrest of the Applicant in C.R.No.405/2022 registered with Karveer Police Station, Dist. Kolhapur, he shall be released on bail, on furnishing P.R. bonds in the sum of Rs.25,000/- with one or more sureties in the like

amount ;

(b) The Applicant shall report to the Investigating Officer on the 1st day of the month between 10:00 a.m. to 01:00 p.m. till filing of the charge sheet ;

(c) The Applicant shall not interfere with the complainant, her family members and the other prosecution witnesses and shall not tamper with the evidence or attempt to influence or contact the complainant, witnesses or any person concerned with the case in any manner ;

(d) The Applicant shall keep the Investigating Officer informed of his current address and mobile contact numbers, and/or change of residence or mobile details, if any, from time to time.

6. Application stands disposed of.

PREETI
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JAYANI

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Date: 2022.08.26
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(SMT. ANUJA PRABHUDESSAI, J.)