

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

CRIMINAL ANTICIPATORY BAIL APPLICATION NO.2413 OF 2021

Rafik Amin Jamadar & Anr.

...Applicants

Vs.

The State of Maharashtra

... Respondent

Mr.Prashant Kamble i/b Mr.Vikarant V. Phatate for the Applicant.
Mr.S.R. Agarkar, for the Respondent-State.

CORAM : C.V. BHADANG, J.

DATE : 15 FEBRUARY 2022

**NILAM
SANTOSH
KAMBLE**

Digitally signed by
NILAM SANTOSH
KAMBLE
Date: 2022.02.15
17:23:45 +0530

P.C.

1. The applicants apprehending their arrest in connection with the investigation of Crime No.434 of 2021 registered with Akkalkot North Police Station, under Section 141, 143, 147, 148, 149, 324, 427, 504 and 327 of the Indian Penal Code are seeking anticipatory bail. It appears that Section 327 of the IPC was added subsequently.

2. I have heard learned counsel for the parties. Perused record.

3. The record discloses that on 6 October 2021 interim protection was granted to the Applicant on condition of attendance.

4. The learned counsel for the Applicants pointed out that except Section 327 of IPC rest of the sections are bailable. He submitted that Section 327 was added subsequently only with a view to arrest the Applicant. He points out that the allegation is that, in the quarrel, the Applicant snatched Rs.3500/- from the complainant.

5. The learned Additional public Prosecutor submitted that the investigation is at a concluding stage and the Investigating Officer will file charge-sheet shortly.

6. Considering the overall circumstances and the fact that the allegation under Section 327 of IPC is with respect to snatching of an amount of Rs.3,500/- and further having regard to the fact that the interim protection is operating since 6 October 2021 and the investigation is at concluding stage, the Application is disposed of in terms of the order dated 6 October 2021 subject to the condition that the Applicant shall continue to co-operate with the Investigating Agency and shall not tamper with the prosecution evidence/witnesses.

C.V. BHADANG, J.