

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

ANTICIPATORY BAIL APPLICATION NO.2902 OF 2021

Rahul Rajabhau Udar
Versus
State of Maharashtra

..Applicant

..Respondent

Mr. Sharad T. Bhosale, for the Applicant.
Ms. Sharmila S. Kaushik, APP for the Respondent-State
Vidhya Arun Jadhav, API, Vijapur Police Station-present.

CORAM : NITIN W. SAMBRE, J.

DATED : 19th September, 2022

P.C.:

1. Heard.
2. The applicant is seeking pre-arrest bail in crime no. 514 of 2021 registered with Vijapur Naka police station for the offence punishable under sections 307 & 506 r/w. section 34 of IPC.
3. The complainant is a wife of the applicant who is serving in Parabhani whereas the applicant, a police constable is serving in Solapur.
4. The allegations are, the applicant committed an offence u/s. 307 of the IPC by trying to poison the complainant.
5. In this background, the counsel for the applicant-husband has claimed that the parties hereto have resolved their dispute as

they have started residing together.

6. In the aforesaid background, on last occasion this Court has called the investigating officer to verify the position.

7. Accordingly, learned APP on instructions from the Investigating Officer informs that the applicant and the complainant are residing together. However, the complainant is not keen on withdrawing the prosecution.

8. Be that as it may, the fact that the applicant and the complainant are residing together who are blessed with a daughter, is not disputed fact, which can be inferred from the aforesaid observations.

9. The poison bottle is yet to be recovered from the applicant and that being so, the applicant to attend the Investigating Officer from 23/09/2022 to 27/09/2022 between 10.00 a.m. to 12.00 noon and thereafter as and when directed.

10. In the event of arrest of applicant in crime no. 514 of 2021 registered with Vijapur Naka police station for the offence punishable under sections 307 & 506 r/w. section 34 of IPC, the applicant be released on bail on furnishing P.R. bond in the sum of Rs.15,000/- with one or more sureties in the like amount.

11. The applicant shall neither tamper with evidence

nor influence the witnesses in any way.

12. The application stands disposed of.

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by ANANT
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Date: 2022.09.22
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(NITIN W. SAMBRE, J.)