

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

ANTICIPATORY BAIL APPLICATION NO.3032 OF 2021

Atul Dnyanoba Maske ...Applicant

Versus

The State of Maharashtra ...Respondent

WITH

ANTICIPATORY BAIL APPLICATION NO.3033 OF 2021

Rohit Shahdev Tekale ...Applicant

Versus

The State of Maharashtra ...Respondent

WITH

ANTICIPATORY BAIL APPLICATION NO.3034 OF 2021

Ashok Namdev Rahane ...Applicant

Versus

The State of Maharashtra ...Respondent

WITH

ANTICIPATORY BAIL APPLICATION NO.3036 OF 2021

Lahu Ram Gavhane ...Applicants

Versus

The State of Maharashtra ...Respondent

...

Mr. Vivek Hiralal Kyadal for the Applicants.

Mr. Y.Y. Dabke, APP for Respondent-State.

CORAM: SMT. ANUJA PRABHUDESSAI, J.

DATED : 22nd AUGUST, 2022.

P. C. :-

1. The Applicants herein have sought pre-arrest bail in Crime No.422 of 2021 registered with Dighi Police Station, District-Pimpri-Chinchwad, for the offences punishable under Sections 143, 147, 148 323, 325, 504, 506 r/w. 149 of the IPC and Sections 37(1)(a) and 135 of the Maharashtra Police Act, 1951.

2. Heard Mr. Vivek Kyadal, learned counsel for the Applicants and Mr. Dabke, learned APP for Respondent -State. 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 FIR dated 01/11/2021 lodged by Mangesh Adinath Maske. The FIR reveals that there is property dispute between the father of the first informant and Baban L. Maske, uncle of the Applicant-Atul Maske. It is alleged that on 01/11/2021 at about 6.00 a.m. when the Complainant and his father went to start the water pump, the co-accused abused and assaulted them. The FIR and the statement of Adinath do not prima facie show the presence of the Applicants at the place of the incident. They have not attributed any role to these Applicants. The accusations against the Applicants are levelled by one Swati Gade, sister of the

Complainant, whose statement was recorded on 08/11/2021. Apart from making omnibus allegations against these Applicants, there is no prima facie material to indicate that these Applicants were involved in the alleged incident.

4. Considering the above facts and circumstances, these Applicants were granted pre-arrest bail on 17/12/2021. It is stated that the Applicants have complied with the conditions of the bail order and accordingly reported to the investigating officer and have been duly interrogated. Learned APP under instructions states that investigation is completed and charge sheet will be filed in due course.

5. Under the circumstances, this is not a case for custodial interrogation. Hence, the applications are allowed on the following terms and conditions:-

- (i) In the event of arrest of the Applicants in Crime No. 422 of 2021 registered with Dighi Police Station, District – Pimpri - Chinchwad, the Applicants are ordered to be released on bail on furnishing PR bonds in the sum of Rs.20,000/- each with one or two sureties each in the like amount.

- (ii) The Applicants shall report to the investigating officer on first day of every month between 10.00 a.m. to 2.00 p.m. till filing of the charge sheet.
- (iii) The Applicants shall not tamper with the prosecution evidence and /or interfere with the witnesses in any manner.
- (iv) The Applicant shall keep the Investigating Officer informed of their current address and mobile contact numbers, and /or change of residence or mobile details, if any, from time to time.

6. Applications stand disposed of.

(SMT. ANUJA PRABHUDESSAI, J.)