

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

ANTICIPATORY BAIL APPLICATION NO. 3501 OF 2022

Nilesh Vinod Pathak	...Applicant
Versus	
The State Of Maharashtra	...Respondent

Mr. Ramakant Paranjpe for applicant.

Mr. N.B. Patil, APP for State

CORAM: M. S. KARNIK, J

DATED: DECEMBER 21, 2022

PC:-

1. Heard learned counsel for the applicant and learned APP for State.
2. This is an application for pre-arrest bail in connection with C. R. No.0792/2022 registered with Navghar Police Station, for the offence punishable under sections 498-A, 406, 323, 504, 506 and 34 of the Indian Penal Code, 1860.
3. The First Information Report (FIR) was lodged on 12/10/2022. The FIR is lodged by the wife of the applicant. The complainant alleges that she married to the applicant on 06/05/2018. The allegation is that pursuant to the marriage there was harassment by the in-laws. It is further alleged that

twice the applicant had taken money from the complainant. It is alleged that a sum of Rs.4,00,000/- was paid by the complainant's father to the applicant. The allegations are also made that the applicant has assaulted the complainant. The details have been stated about the manner in which the applicant compelled the complainant to pay money to him from time to time. The learned APP and the learned counsel for the complainant vehemently opposed the grant of the application. The investigation revealed that sometime in November, 2022, the applicant went to the school of their child - Kiara who is 3 years of age and requested the school management to cancel her admission stating the reason to be a dispute between the applicant and complainant. This was done behind the back of the complainant. The statement of the teacher has been recorded that the refund was taken by the applicant. In fact, I had called upon the applicant to ensure that the fees of the child are paid and she be sent to the school so that her education does not suffer. The applicant refused.

- 4.** Considering the nature of the allegations, in my opinion, this is not a fit case to grant pre-arrest bail to the applicant.
- 5.** The application is rejected.

(M. S. KARNIK,J.)