



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

ANTICIPATORY BAIL APPLICATION NO.888 OF 2023
WITH APPLN/2676/2023 IN ABA/888/2023

VENKAT RAMSWAMI MUDIRAJ
VERSUS
THE STATE OF MAHARASHTRA

Mr. O. B. Boinwad, Advocate for the applicant
Mr. S. B. Jadhav, APP for the respondent/State
Mr. B. N. Gadegaonkar, Advocate for the informant

CORAM : R. M. JOSHI, J.
DATE : 7th DECEMBER, 2023

P.C. :-

1. Heard.
2. Applicant apprehends arrest in connection with Crime No. 129 of 2023 registered Shivajinagar Police Station, Dist. Nanded for the offences punishable under Sections 392, 323, 504, 506 r/w 34 of IPC.
3. First informant is a lady. She claims that on 25/04/2023 at about 9.00 pm when she made a phone call to the accused asking for money accused told her that out of Rs.60 lakhs Rs.5 lakhs will be paid by him to her at Aurangabad. It was told her that the money would be paid near Gangamata School, Gokul Nagar. She therefore went to the spot along with Gangadhar. It is alleged that at the spot she was abused by the accused and that gold ring and cash there snatched from her.

4. Learned counsel for the applicant submits that the applicant and informant had close relations which can be seen from the from the photograph placed on record. It is submitted that consequently dispute arose between them and according to him present the report is outcome of the said dispute.

5. Learned APP and learned counsel for the informant opposed the application by contending that report is immediately lodged so also there is a witness to the extent and his statement corroborates the first information report.

6. The photograph placed on record clearly supports the contention of the learned counsel for the applicant about close relationship between them. The incident in question has occurred on a public road. If may be at 10 pm however, it does not stand to any reason that the said area is a residential area and except for the close relative of the informant no one else has witness the said incident. This creates doubt about the genuineness of the allegation.

7. In such circumstances, liberty of the applicant deserves to be protected. Applicant has be treated in custody of the police for the

purpose of recovery if any. Application is allowed in terms of interim order dated 15th June, 2023.

8. Pending application, if any, stands disposed of.

(R. M. JOSHI, J.)

ssp