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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO.488/2023

BIRA MAHALU BURANGE

..APPLICANT

VS.

THE STATE OF MAHARASHTRA

..RESPONDENT

Adv. Satyavrat Joshi a/w. Mr. Shubham Mhatre for the
applicant.

Mr. S. H. Yadav, APP for State.

CORAM : M. S. KARNIK, J.

DATE : FEBRUARY 17, 2023.

P.C. :

- 1.** Heard learned counsel for the applicant and learned APP.
- 2.** This is an application for pre-arrest bail in respect of First Information Report (FIR) No.1342/2022 registered with the Sangola Police Station, Solapur Rural, under Section 436 of the Indian Penal Code, 1860 (hereafter "the IPC", for short).
- 3.** It is alleged that on December 10, 2022, at about 9.00

p.m., they took meal and went to bed. At about 11.00 p.m., his wife woke up from her sleep and saw that his old house was on fire. It is alleged that they saw the applicant who set fire to his house fleeing from behind the house. The neighbours then rushed towards the house and they tried to put off the fire. The cash amount of Rs.3 lakhs given by his son Sawala for the construction of new house was burnt. Two tola gold ornaments like necklace and earrings are destroyed in the fire. Some other articles also were burnt in the fire. There is a loss of Rs.4,47,000/-. It is the submission of the complainant's wife that she had seen the applicant fleeing from the spot after setting their house on fire.

4. Learned counsel for the applicant submitted that as there were some previous enmity between the applicant and the complainant, that the applicant has been roped in the present offence. An attempt was made to contend that the fire is because of the short circuit as the informant had tampered with the electricity wire.

5. The accusations against the applicant are serious. Though it is contended that there is two days delay in lodging the FIR, having regard to the materials on record

and on the basis of the statements recorded, I am not inclined to grant anticipatory bail to the applicant. The application is rejected and disposed of accordingly.

(M. S. KARNIK, J.)