

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

ANTICIPATORY BAIL APPLICATION NO.1719 OF 2023

1. Mrs. Anita Deepak Ghogare
2. Nilesh Shankar Thorat

...Applicants

Versus

The State of Maharashtra

...Respondent

...

Mr. Vijaykumar Dighe for the Applicants.

Ms A.A. Takalkar, APP for the Respondent-State.

Mr. Hrishikesh P. Giri for the Intervenor.

Mr. T.K. Sawant, PSI, Mandangad Police Station, Ratnagiri, present.

CORAM: SMT. ANUJA PRABHUDESSAI, J.

DATED: 3rd JULY, 2023.

P. C. :-

1. The Applicants apprehend their arrest in C.R. No.29 of 2023 registered with Mandangad Police Station, Ratnagiri, for the offences punishable under Sections 323, 345, 452, 504 and 506 r/w 34 of the IPC.

2. Heard Mr. Vijaykumar Dighe learned counsel for the Applicants and Ms A.A. Takalkar, learned APP for the Respondent - State. I have 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 lodged by the mother-in-law of Applicant No.1. The records prima facie indicate that relations between Applicant No.1 and her husband are strained. The First Informant has stated that several proceedings have been filed by the Applicant No.1 against her husband and family members. The First Informant has alleged that she and her husband had started residing at Mandangard because of the harassment meted out to them by their daughter-in-law Anita, the Applicant No.1 herein. She has stated that on 02/05/2023 the Applicant No.1 and her brother -Applicant No.2 entered their house alongwith two unknown persons. They abused and threatened them and assaulted their servant-Binod Kumar in their farm house. The First Informant has stated that Applicant No.1 was continuously enquiring about her husband -Dipak.

4. Learned counsel for the Applicants states that Dipak, son of the First Informant had not appeared before the Court in the proceeding under the Domestic Violence Act and warrant has been issued. He states that Applicant No.1 had only accompanied the police to show the residence of her husband as to execute the warrant issued against him by the concerned police.

5. The nature of the accusations, in my considered view would not justify custodial interrogation. Hence the application is allowed on the following terms and conditions:-

- (i) In the event of arrest of the Applicants in C.R. No.29 of 2023 registered with Mandangad Police Station, Ratnagiri, they be released on bail on furnishing bail bonds in the sum of Rs.25,000/- each with one or two sureties to the like amount;
- (ii) The Applicants shall not interfere with the First Informant, her family members and other witnesses in any manner.
- (iii) The Applicants shall not enter the area within the jurisdiction of Mandangad Police Station except for the purpose of interrogation i.e. on 07/07/2023 and 08/07/2023 between 11.00 a.m. to 2.00 p.m.
- (iv) The Applicants 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. The Application stands disposed of.

(SMT. ANUJA PRABHUDESSAI, J.)