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

ANTICIPATORY BAIL APPLICATION NO. 550 OF 2023

Santosh Kumar Dubey ..Applicant
VS.
The State of Maharashtra and Anr. ..Respondents

Mr. Vishal Navale a/w Ms. Mansi Dande, Vikrant Khare,
Pratik Sabrad, Seema Patil i/b Tejesh Dande & Associates,
for the Applicant.

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

PSI- Mr. R.D. Nalawade, Achote Police Station present.

CORAM : M. S. KARNIK, J.

DATE : FEBRUARY 24, 2023

P.C. :

- 1.** Leave to amend so as to delete the respondent no. 2 as learned counsel for the applicant wants to delete respondent no.2. Amendment to be carried out within a week.
- 2.** Heard learned counsel for the applicant and learned APP.
- 3.** This is an application for pre-arrest bail. The applicant is apprehending arrest in connection with C.R. No.43 of 2023 dated 23/01/2023 registered with Achote Police Station for offence punishable under sections 376, 377,

498-A, 354-A, 354-D, 406, 504 of the Indian Penal Code, 1860.

4. The applicant is father-in-law. The complainant is his daughter-in-law. It is alleged that marriage of the complainant took place on 12/05/2022. The complainant stated that her in-laws started harassing her on trifle grounds. It is then alleged that some time on 14/06/2022 when her husband has gone out, the present applicant who is the father-in-law of the complainant committed alleged offence which is punishable under sections 354, 354A, 354D of IPC. It is then alleged that the father-in-law told her that if the husband is not ready to look after her, the applicant will take care of her. Same statement was repeated by father-in-law in front of the complainant's father some time on 16/06/2022. The complainant's father requested her in-laws to take the complaintant back at the matrimonial home, but the in-laws refused. On record is a complaint made by the complainant to the Women Cell at Jaunpur dated 04/11/2022 making allegations against the in-laws. In this complaint, there is no allegation which is now made

against the applicant in the FIR that is lodged.

5. Taking an overall view of the matter, in my opinion, the applicant's custodial interrogation is not required. The applicant must co-operate with the investigation. Hence, the following order.

ORDER

(a) The application is allowed.

(b) In the event of arrest of the applicant in connection with C.R.No.43/2023 dated 23/01/2023 registered with Achole Police Station, the applicant-Santosh Kumar Dubey be released on bail on his furnishing P.R. Bond in the sum of Rs.25,000/- with one or more sureties in the like amount;

(c) The applicant shall not directly or indirectly make any inducement, threat or promise to any person acquainted with facts of case so as to dissuade him from disclosing the facts to Court or any Police Officer and should not tamper with evidence;

(d) The applicant shall report to investigating officer on 2nd and 3rd March 2023 between 11.00

a.m. and 1.00 p.m. and thereafter as and when called for and co-operate with the investigation.

4. The anticipatory bail application is disposed of.

(M. S. KARNIK, J.)