

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

Mr. Sanjeev Dayaprasad Mishra ..Applicant
VS.
The State of Maharashtra ..Respondent

DATE : FEBRUARY 28, 2023

1. Heard learned counsel for the applicant and learned
APP.

2. This is an application for pre-arrest bail. The applicant is apprehending arrest in connection with C.R.No. 44 of 2023 dated 21/01/2023 registered with Kandivali Police Station for the offence punishable under sections 427, 452, 504, 506(2) of the Indian Penal Code, 1860 ("IPC", for short).

3. The complainant is a doctor running a hospital. There was some dispute the applicant had with the partner of the

complainant. The applicant went to the hospital on 21/01/2023 in the morning at 6.55 a.m. and started abusing the applicant's partner. When the complainant tried to calm him, the applicant used a steel rod to break the furniture and laptop. He threatened the complainant. Therefore, the offence came to be registered. Before the learned Sessions Court, the original complainant appeared and filed an application. The complainant stated that the applicant and the complainant have amicably settled the dispute out of Court and that the complainant has no objection if the applicant is granted pre-arrest bail.

4. Considering the nature of the accusations and in view the stand of the complainant before the trial Court, the custodial interrogation of the applicant is not required. There is a criminal antecedent reported against the applicant under section 353 of the IPC. Having regard to the present facts, the applicant can be granted pre-arrest bail, and the antecedent is not such that it should come in way.

ORDER

(a) The application is allowed.

(b) In the event of arrest of the applicant in connection with C.R.No. 44 of 2023 dated 21/01/2023 registered with Kandivali Police Station, the applicant -Mr.Sanjeev Dayaprasad Mishra be released on bail on his furnishing P.R. Bond in the sum of Rs.15,000/- 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 the investigating officer on 4th & 5th March 2023 between 11.00 a.m. and 1.00 p.m.

(e) The applicant to pay cost of Rs.10,000/- to the Maharashtra Police Welfare Fund. Cost to be paid within a period of 2 weeks from today.

5. The anticipatory bail application is disposed of.

(M. S. KARNIK, J.)