

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

ANTICIPATORY BAIL APPLICATION NO. 728 OF 2023

Shobha Sadashiv Konade & Anr.

..Applicants

v/s.

The State of Maharashtra .

..Respondents

Mr. Viresh Purwant for the Applicant.

Mr. S.V.Gavand, APP for the State.

**CORAM : ANUJA PRABHUDESSAI ,J.
DATED : 16th MARCH, 2023.**

P.C.

1. This is an application under Section 438 Cr.P.C. filed by the aforesaid Applicants apprehending their arrest in C.R.No.25 of 2023 registered with Akkalkot (South) Police Station, Solapur Rural for offences under Section 323, 341, 379, 504, 506 r/w. 34 of Indian Penal Code. Subsequently offences under Section 343 and 341 was dropped and Section 5 and 11 has been invoked.

2. Heard learned Counsel for the Applicants, learned APP for the 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 Siddharam Shankar Sadhave. It is alleged that on 21.01.2023 the

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Applicants herein harvested the crops from Gut No. 122-1-B and attempted to commit theft. The nature of accusation does not justify custodial interrogation. The Applicants are the permanent residents of the State. There are no chances of these Applicants absconding or thwarting the course of justice.

4. Considering the above facts and circumstances, the application is allowed on the following terms and conditions:-

(i) In the event of arrest of the Applicants in Crime No.C.R.No.25 of 2023 registered with Akkalkot (South) Police Station, Solapur Rural, the Applicants be released on bail on furnishing bail bond of Rs.25,000/- (Rupees Twentyfive Thousand Only) each with one or two sureties in the like amount, to the satisfaction of the Investigation Officer.

(ii) The Applicants shall report to the Investigating Officer as and when required by the Investigating Officer for the purpose of investigation and interrogation.

(iii) The Applicants shall keep the Investigating Officer informed of their current address and mobile/contact details, and/or change of residence or mobile/contact details from time to time.

(iv) The Applicants shall not interfere with the Complainant and the other witnesses, or tamper with the evidence in any manner.

(ANUJA PRABHUDESSAI, J.)