



Sayali Upasani

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

**ANTICIPATORY BAIL APPLICATION NO. 1000 OF 2023**

Ghansham Navnath Nimbalkar

...Applicant

**Vs.**

The State of Maharashtra

...Respondent

Mr. Rohan Hogle, for Applicant.

Mr. M. G. Patil, APP for State.

Mr. Rupesh Zade, with Ms. Priyanka Gupta, for Respondent  
No. 2.

Mr. Sudhir Padule, PSI, Indapur Police Station, Present.

**CORAM:- N. J. JAMADAR, J.**

**DATE:- 4<sup>th</sup> NOVEMBER, 2023.**

**PC:-**

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

2) This application is preferred for pre-arrest bail in connection with C.R. No. 281 of 2023, registered with Indapur Police Station, for the offences punishable under Sections 384, 385, 386, 387, 500, 504 and 506 read with Section 34 of Indian Penal Code, 1860 ("the Penal Code").

3) The first informant is posted as a Project Officer at the Integrated Child Development Services Scheme Project at Indapur. The first informant alleged that the applicant and co-accused Atul Sonkamble extorted money from the first informant by initially publishing a news item on the Vishwa 24 YouTube channel and threatening to tarnish reputation of the first informant by falsely implicating the first informant in offences punishable under The Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989 and Sexual offences.

4) By an order dated 6<sup>th</sup> April, 2023, this Court was persuaded to grant interim protection.

5) The learned Counsel for the applicant made an endeavour to demonstrate that the applicant and the co-accused had been falsely roped in as the applicant had raised the issue of unjustified shifting of the integrated Child development scheme office from Bhigwan to Indapur. Eventually, an order was passed by the Chief Executive Officer, Zilla Parishad, Pune. Since the said order was not implemented for a long time, agitation was held in the course of which the applicant had given a newsbite. In respect of the newsbite, the applicant and the co-accused

were served a notice on 21st December, 2023; to which a suitable reply was given by the applicant. Thereupon the FIR came to be lodged by making false allegations.

6) The learned Counsel for the applicant and the learned APP resisted the prayer for pre-arrest bail.

7) The learned APP invited the attention of the Court to the transcript of the conversation between the applicant and one of the witnesses. It was submitted that the transcript indicates that the applicant had also demanded the amount.

8) The allegations in the FIR, even if taken at par, are not of such nature that custodial interrogation of the applicant is warranted to facilitate further investigation. The admissibility of the transcript of the conversation and the statements therein and inference to be drawn therefrom are matters for trial.

9) It was submitted that during the pendency of the application, another crime has been registered against the applicant. This apprehension on the part of the prosecution can be taken care of by imposing appropriate condition.

10) I am, therefore, inclined to exercise the discretion in favour of the applicant.

11) Hence, the following order:-

**ORDER**

I) In the event of arrest of the applicant in connection with C.R. No. 281 of 2023, registered with Indapur Police Station, for the offences punishable under Sections 384, 385, 386, 387, 500, 504 and 506 read with Section 34 of Indian Penal Code, 1860, the applicant be released on bail on executing a PR Bond in the sum of Rs.30,000/- with one or two sureties in the like amount.

II) The applicant shall not contact the first informant, give any threat or inducement the first informant or any person acquainted with the facts of the case.

III) The applicant shall mark his presence at Indapur Police Station on first Monday of every Month in between 10.00 am to 12.00 noon.

IV) It is clarified that these *prima facie* observations are confined to determine the entitlement to pre-arrest bail only.

V) The application stands disposed.

[N. J. JAMADAR, J.]