

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

ANTICIPATORY BAIL APPLICATION NO. 1427 OF 2023

Shivtej Ambadas Orase

...Applicant

V/s.

State of Maharashtra

... Respondents

....

Ms. Divya Bhatia a/w. Mr. Saurabh Ghog i/b. Mr. Onkar Wable for the Applicant.

Ms. Pallavi N. Dabholkar APP for the State/Respondent.

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**CORAM : RAJESH S. PATIL J.
VACATION COURT**

DATED : 12th MAY, 2023

P.C.:

1. This Bail Application is filed under Section 438 of the Code of Criminal Procedure Code, 1973 ('Cr.PC'), for the offences punishable under Sections 452, 354, 504, 506, 323 read with Section 34 of the Indian Penal Code, 1860 ('IPC') registered at Akluj police station, Solapur.

2. The Prosecutions case that the Complainant lady with residing with her husband and daughter on rental basis. The owner of rental premises one Mr. Santosh Londhe on 24th March 2023 around 7.00 p.m. evening stated some unknown persons were beating him when the Complainant realizing the noise try to

ask whose person why they were beating Mr. Santosh Londhe. Those persons thereafter threatened the complainant and even barged into her house and used abusive language. One of them said to the Complainant that is a District President of a Political Party. Another person who is applicant before Hon'ble Court thereafter told that he is the son of political person and he also lawyer by profession.

4. On the basis of the same the F.I.R. was lodged on the next day, i.e., 25th March 2023.

5. By order dated 1st April 2023 the Session Judge, Malshiras granted interim protection to the Applicant. The Advocate for the Applicant states that the applicant did not misuse the liberty granted by the Sessions Court.

6. However, the Sessions Court by its order dated 2nd May 2023 dismissed the Anticipatory Bail Application of the Applicant. Thereafter the present Anticipatory Bail Application has been filed in this Hon'ble Court by the Applicant on 8th May 2023. The Advocate for the Applicant states that the Applicant is

apprehending arrest, therefore, she has filed the present application. She further states that the applicant is granted ad-interim protection by the Sessions Court. Therefore, this Hon'ble Court should consider the matter of the Applicant sympathetically.

7. She further states that the Applicant's name was not mentioned in the F.I.R. However, the accused's father is mentioned name in the F.I.R. She further states that the F.I.R. is registered merely on suspicious and there is no recovery and discovery. She states that the custodian interrogation of the Applicant will not be necessary and the Applicant is ready to cooperate with the Investigating Officer. She states that the Applicant is ready to attend the office of the Investigating Officer as and when called.

8. The APP states that the present application requires to be dismissed as the Anticipatory Bail Application of the father of the Applicant was dismissed by the Sessions Court. As the father of the Applicant has some criminal record.

9. I have considered the documents on record and submission of the F.I.R. taking into consideration the F.I.R. and I

am satisfied that the Applicant should be protected. The case is made out for grant of the present Anticipatory Bail Application.

10. The Anticipatory Bail Application is allowed on the following conditions :-

(a) The Applicant is ordered to be released on bail on furnishing bail bonds in the sum of Rs.15,000/- with one or two sureties in the like amount ;

(b) The Applicant shall report to the concerned Investigating Officer, Akulj Police Station, Solapur on 16th May 2023 and 17th May 2023 between 11:00 a.m. to 01:00 noon;

(c) The Applicant shall not interfere with the complainant and the other witnesses and shall not tamper with the evidence or attempt to influence or contact the complainant, witnesses or any person concerned with the case;

(d) The Applicant shall keep the Trial Court informed of his current address and mobile contact number and/or change of residence or mobile details, if any, from time to time.

(e) The Applicant shall co-operate with the conduct of the trial and attend the trial Court on all dates, unless exempted.

11. Bail Application stands disposed of in above terms.
Interim Application stands disposed of in view of disposal of Bail Application.

(RAJESH S. PATIL, J.)