

VRJ

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

ANTICIPATORY BAIL APPLICATION NO.1589 OF 2023

Ajit Dattatray Kadam

... Applicant

V/s.

The State of Maharashtra

... Respondent

Mr. Vikrrant Shinde with Ms. Bhavika Shinde i/by Mr.
Kiran N. Patil for the applicant.

Ms. Veera Shinde, APP for the respondent/State.

Mr. Gaikwad, API, Dehu Road Police Station is present.

CORAM : AMIT BORKAR, J.

DATED : JUNE 23, 2023

P.C.:

1. Apprehending arrest of the applicant in connection with C.R. No.11 of 2023 registered with Dehu Road Police Station, District Pune for offences punishable under Sections 452, 341, 392, 323, 141, 143, 144, 504, 506 read with section 34 of the Indian Penal Code, 1860, the applicant is seeking relief under section 438 of the Criminal Procedure Code, 1973.

2. One Mukhtarahamad Munna Khan lodged a report on 5th January 2023, alleging that on 17th January 2021, 11 persons named in the report with 4 unknown persons came to his house to take forcible possession of his property. At that time they abused and threatened the informant and trespass on his property.

According to him, one women snatched gold chain of 36 grams from neck of his wife.

3. On perusal of the report and papers placed on record, it appears that no specific role attributed to the applicant. The report states that the applicant along with others was on the spot of incident. In absence of active role attributed either in the report or in the statements, custodial interrogation of the applicant is not required. Hence, following order:

- a) In the event of arrest of the applicant in connection with C.R. No.11 of 2023 registered with Dehu Road Police Station, District Pune for offences punishable under Sections 452, 341, 392, 323, 141, 143, 144, 504, 506 read with section 34 of the Indian Penal Code, 1860, he shall be released on bail on furnishing PR Bond in the sum of Rs.25,000/-, along with one or two sureties in the like amount;
- b) The applicant shall remain present before the investigating officer on 26th, 28th and 30th June 2023 between 11:00 a.m. to 02:00 p.m. and, thereafter, as and when called by the investigation officer;
- c) The applicant shall cooperate with the investigation and make himself available for interrogation whenever required;
- d) The applicant shall not directly or indirectly make any inducement, threat or promise to any witness acquainted with the facts of the case so as to dissuade him from

disclosing such facts to the court or to any police officer;

e) The applicant shall not obstruct or hamper the police investigation and not to play mischief with the evidence collected or yet to be collected by the police;

4. The anticipatory bail application is disposed of in above terms.

(AMIT BORKAR, J.)