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

ANTICIPATORY BAIL APPLICATION NO.1933 OF 2023

Prashant Haribhau More

... Applicant

V/s.

The State of Maharashtra

... Respondent

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Mr. Shantanu Sharma with Mr. Dhananjay Bhosale for
the applicant.

Mr. Pandurang H. Gaikwad, APP for the respondent/
State.

Mr. Shrikant Madhukar Joshi, PSI, Rajgad Police
Station, is present.

CORAM : AMIT BORKAR, J.

DATED : JULY 19, 2023

P.C.:

1. Apprehending arrest in connection with C.R. No.64 of 2021 registered with Rajgad Police Station, Pune Rural for offences punishable under Section 363 of the Indian Penal Code, 1860, the applicant is seeking relief of pre-arrest bail under Section 438 of the Criminal Procedure Code, 1973.

2. According to prosecution, informant's daughter went missing on 28 February 2021. On that day, she was 14 years 8 months old. During investigation, it is revealed that she eloped with co-accused Ravi Shelke. According to prosecution, they married in Bhopal, Madhya Pradesh. When they returned to Buldhana, the victim

came in contact with the present applicant who is a police personnel. According to prosecution, from 13 November 2022 she was in custody of the applicant. The victim girl is missing. Therefore, the prosecution is seeking custodial interrogation of the applicant.

3. According to the applicant, he helped the victim by arranging her residence. There is no allegation of misbehaviour. The acts done by the applicant to assist her to find residence cannot be construed as criminal acts. According to him, he is ready to cooperate with the investigation and, therefore, custodial interrogation of the applicant is not necessary.

4. I have perused the material on record including statement of witnesses. On prima facie reading of statement of witnesses, it appears that the applicant tried to arrange marriage of victim with one of the witness on the condition of transfer of land in her favour. On refusal by the said witness, she was kept at his residence. Two other witnesses have supported the case of prosecution stating that it is the applicant who contacted them by stating that the victim was above 18 years. It also prima facie indicates that the victim accompanied the applicant on various dates. According to prosecution, after 7 December 2022 the victim is missing. The applicant is police officer. His first duty was to contact victim's parents and hand over her custody to her parents. But the applicant arranged residence for the victim for more than one month. Therefore, it is necessary to investigate the acts done by the applicant and his role. Therefore, custodial interrogation of the applicant is necessary.

5. In view of above, the anticipatory bail application stands rejected. No costs.

(AMIT BORKAR, J.)