

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

ANTICIPATORY BAIL APPLICATION NO. 3235 OF 2022

1. Purnima Ramashankar Yadav	
2. Avinash Ramashankar Yadav	
@ Pannelal Ramashankar Yadav	..Applicants
VS.	
The State of Maharashtra	..Respondent

Pravin Naik a/w Kalyani Kabra for the Applicants.

Mr. S. H. Yadav, APP for the State.

A.P. Kisane, API, Malad Police Station is present.

CORAM : M. S. KARNIK, J.

DATE : JANUARY 19, 2023

P.C. :

1. Heard learned counsel for the applicants and learned APP for the State.
2. While granting interim protection to the applicants, following order came to be passed by this Court on 21/11/2022. The order reads thus:

“1. Heard learned counsel for the applicants.

2. This is an application for pre-arrest bail. The applicants are apprehending arrest in connection with First Information Report (“FIR”, for short) No. 628 dated 13/05/2022 registered with Malad Police Station for the offences punishable under sections 380, 452, 323, 506, 427, 34 of Indian Penal Code,

1860 ("IPC", for short).

3. The first informant is related to the applicants-accused. From the reading of FIR, it appears that there is some property dispute between the parties. Prior to the filing of this FIR, the applicant no.1 filed FIR against the first informant herein on 11/05/2022 under sections 354, 509, 506, 34 of IPC. Thereafter, the present FIR came to be filed by the informant. The first informant has made an allegation that the accused stolen certain gold ornaments which the informant found missing. He further alleged that a sum of Rs.1,50,000/- has been stolen.

4. Looking at the allegations and counter allegations of the parties, learned APP to seek instructions from the Investigating Officer. List the matter on 05/12/2022.

5. In the meantime, in the event of arrest of the applicants in connection with FIR dated 13/05/2022 registered with Malad Police Station, the applicants - Purnima Ramashankar Yadav and Avinash Ramashankar Yadav be released on bail on their furnishing P.R. Bond in the sum of Rs.25,000/- each with two or more sureties in the like amount.

6. The applicants shall report to the concerned Police Station on every Monday, Wednesday and Friday between 11.00 a.m. and 1.00 p.m. till next date.

7. The applicants shall not tamper with the evidence or give threat or inducement to any of the prosecution witnesses.

8. The applicants to co-operate with the Investigating Officer."

3. Learned APP submits that the applicants have cooperated in the investigation and attended the Investigating Officer.

4. Considering the nature of the accusations and the counter allegations of the parties against each other who

are related to each other, the interim protection deserves to be confirmed. Hence, the following order.

ORDER

(a) In the event of arrest of the applicants in connection with First Information Report No. 628 of 2022 registered with Malad Police Station, applicant no. 1- Purnima Ramashankar Yadav and applicant no. 2- Avinash Ramashankar Yadav @ Pannelal Ramashankar Yadav, shall be released on bail on furnishing P.R. bond to the extent of Rs.25,000/- each with one or more sureties of the like amount.

(b) The applicants shall not directly or indirectly make any inducement, threat or promise to any person acquainted with facts of case so as to dissuade him from disclosing the facts to Court or any Police Officer and should not tamper with evidence.

(c) The applicants shall report to the concerned police station as and when called. The applicants to cooperate with the Investigating Officer.

5. Anticipatory Bail Application stands disposed of.

(M. S. KARNIK, J.)