



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

ANTICIPATORY BAIL APPLICATION NO. 1757 OF 2023

Pradeep Dadarao Dhanve ... Applicant

VERSUS

The State Of Maharashtra ... Respondent

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Mr. Dnyaneshwar B. Pokale, Advocate for the Applicant

Mr. A.R. Kale, APP for Respondents – State

Mr. P.P. More, Advocate for assist to APP

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[CORAM : NITIN B. SURYAWANSHI, J.]

DATE : 29th JANUARY, 2024

ORDER :

1. The applicant apprehends arrest in connection with Crime No.444 of 2023 registered with Shivaji Nagar Police Station, District Beed for offences punishable under sections 376, 377, 307, 498-A, 343, 323, 504, 506 read with section 34 of the Indian Penal Code and sections 3 and 4 of Maharashtra Prevention and Eradication of Human Sacrifice and Other Inhuman, Evil and *Aghori* Practices and Black Magic Act, 2013.

2. FIR is lodged by wife of applicant alleging that after their marriage on 27.05.2018, it was realized that applicant is not working with Forest Department, but he is working with *Raigad Jillha Suraksha Rakshak Mandal, Kalamboli*, District Raigad at CIDCO office. She was treated nicely till June 2021, and thereafter, husband and in-laws started humiliating her as she was not able to conceive child and was ill-treated her physically and mentally. A demand of Rs.5,00,000/- was made by her in-laws to purchase a flat at Panvel. On 02.03.2023, at 10.00 a.m., applicant made attempt to kill her by pouring diesel on her person. Her in-laws with the help of accused No.6 are practicing black magic and they were used to force her to participate in black magic rituals. Applicant used to commit an offence under section 377 of the Indian Penal Code with her.

3. Heard learned advocate for applicant, learned APP for respondent – State and learned advocate for informant. Perused the papers of investigation.

4. Learned advocate for informant strenuously opposed the application contending that after registration of crime, applicant has contacted informant on cellphone and

threatened her to withdraw the present case. He, therefore, is not entitled for anticipatory bail.

5. Learned APP has produced investigation papers and opposed the application.

6. Informant has lodged FIR against six persons on 16.08.2023. In the FIR, she has alleged that since March 2023, she is residing at her maternal home at Pargaon Shiras, Taluka and District Beed. Applicant is in service at Raigad District.

7. Considering allegations made in the FIR and the investigations papers, custody of applicant is not necessary for interrogation purpose. Investigation appears to be on the verge of completion. Since applicant is serving in Raigad District, there is no possibility that applicant would tamper prosecution evidence. Nothing is to be recovered from him, applicant can be granted anticipatory bail by imposing suitable conditions.

8. The application is therefore allowed by confirming interim protection granted to applicant on 09.11.2023.

9. Applicant shall not in any manner try to contact and influenced the prosecution witnesses.

10. Till filing of charge-sheet, applicant shall attend the concerned police station as and when called by Investigating Officer. Applicant shall not tamper the prosecution evidence.

[NITIN B. SURYAWANSHI]
JUDGE

S.P. Rane