

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

ANTICIPATORY BAIL APPLICATION NO. 229 OF 2024

Dhiraj @ Lara @
Jhoya Nandu Bagade & Anr. Applicants

versus

State of Maharashtra Respondent

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- Mr. Ranjeet M. Pawar, Advocate for Applicants.
- Ms. Pallavi N. Dabholkar, APP for the State/Respondent.

CORAM : SARANG V. KOTWAL, J.

DATE : 25th JANUARY, 2024

P.C. :

1. The Applicant is seeking anticipatory bail in connection with C.R.No.1112/2023, dated 29/12/2023, registered with Baramati Police Station, Baramati, under Sections 327, 323, 452, 504, 506 r/w 34 of IPC.

2. Heard Mr. Pawar, learned counsel for the Applicants and Ms. Dabholkar, learned APP for the State.

3. The FIR is lodged by one Mrs. Surekha Bagade, she has stated that on 17th December, 2023, she had sent her

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nephew Ashutosh to bring grocery articles. She had given Rs.2,500/-. He came back after sometime but did not bring the grocery. He told her that the Applicant had stopped him and had taken away Rs.2,500/-, therefore, he could not purchase the grocery. At about 5.00 p.m., the Applicant came to the informant's house and abused the informant and Ashutosh. He asked them as to why that fact was told to everybody. Thereafter, she complained at the police station. The Applicant came to the house of the informant again at 9.30 p.m. and threatened her. On this basis, the FIR is lodged.

4. Learned counsel for the Applicant submitted that the Applicant is a nephew of the informant and because of the family disputes false cases are lodged. He submitted that in the backdrop of these vague allegations, the Applicant's custodial interrogation is not necessary.

5. Learned APP did not have instructions from the investigating officer. She argued on the basis of FIR.

6. I have considered these submissions. The FIR mentions that initially the informant had complained to the police station but no cognizance was taken and only after the Applicant had threatened again at 9.30 p.m. this FIR is lodged. From the FIR, it appears that Applicant's custodial interrogation is not necessary. If the Applicant had taken away money from Ashutosh, he would have named at least somebody else from the locality present at the time of the incident. The Applicant, the informant and the Ashutosh are all relatives. In this view of the matter, in the backdrop of these allegations, the custodial interrogation of the Applicant will not serve any purpose. Instead, the Applicant can be directed to cooperate with the investigation.

7. Hence, the following order:

ORDER

- (i) In the event of his arrest in connection with C.R.No.1112/2023, dated 29/12/2023, registered with Baramati Police Station, Baramati the Applicant is directed to be released on bail on his

furnishing PR bond in the sum of Rs.30,000/-
(Rupees Thirty Thousand Only) with one or two
sureties in the like amount;

- (ii) The Applicant shall attend the concerned Police Station as and when called and shall cooperate with the investigation.
- (iii) The application stands disposed of accordingly.

(SARANG V. KOTWAL, J.)