

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

ANTICIPATORY BAIL APPLICATION NO. 151 OF 2024

Siddheshwar @ Rakesh Rajshekhar Bagdure	..Applicant
Versus	
The State of Maharashtra	..Respondent

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Mr. Ritesh Thobde a/w. Ankita P. Rai a/w. Zubi Ansari for
Applicant.

Ms. Sharmila S. Kaushik, APP for State/Respondent.

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CORAM :- SARANG V. KOTWAL, J.
DATE :- 18 JANUARY 2024

P.C. :-

1. The Applicant is seeking anticipatory bail in connection with C.R.No. 619 of 2023 registered at Faujdar Chawdi Police Station, Solapur city, on 19.10.2023, under Sections 327, 354, 354-B, 427, 323, 504 and 506 r/w. 34 of the Indian Penal Code.

2. Heard Mr. Ritesh Thobde, learned counsel for the applicant. Learned APP states that the investigating officer is not available and, therefore, the investigation papers are not with her. She is seeking adjournment. At her instance, today I am

adjourning the matter. However, I have heard the parties for consideration of ad-interim relief.

3. The F.I.R. is lodged by the victim. She was aunt of the applicant. Her husband and the applicant's father were brothers. There was dispute regarding ancestral property. There are various cases filed against each other. She has stated in the F.I.R. that the applicant had lodged an F.I.R. against her son and, therefore, her son was in jail. On 19.10.2023, at about 8.30a.m. the informant had gone to her family house. The applicant and his mother came there. There are allegations that her modesty was outraged. She was assaulted and her gold chain was taken away. Some obscene photographs were kept on her sewing machine. On this basis the F.I.R. was lodged.

4. Learned counsel for the applicant submitted that, this F.I.R. is lodged against the applicant and his mother on 19.10.2023 at 9.07p.m. Whereas, the applicant himself had lodged the C.R.No.617 of 2023 on 17.10.2023 at 11.57p.m. regarding assault committed by the son of the first informant in the present case.

That incident had taken place in the midnight between 14.10.2023 to 15.10.2023. He had suffered head injury. Learned counsel submitted that, as a counter blast to this F.I.R. the present F.I.R. is lodged against the applicant and his mother with a malafide intention. He submitted that having suffered a serious head injury, it was not possible for the applicant to have committed the alleged offence against the informant in this case.

5. Considering these submissions, the applicant can be protected by way of ad-interim relief till the next date.

6. Hence, the following order.

ORDER

- i) In the event of his arrest in connection with C.R.No. 619 of 2023 registered at Faujdar Chawdi Police Station, Solapur city, till the next date, the Applicant be released on bail on his executing P. R. bond in the sum of Rs.30,000/- (Rupees Thirty Thousand Only) with one or two sureties in the like amount.
- ii) This order shall operate till 16/02/2024.

- iii) The Applicant shall attend the concerned Police as and when called and shall cooperate with the investigation.
- iv) Stand over to 16/02/2024.

(SARANG V. KOTWAL, J.)