

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

ANTICIPATORY BAIL APPLICATION NO.926 OF 2024

Santosh Sukhdev Elinje

.... Applicant

versus

State of Maharashtra

.... Respondent

.....

- Mr. Himanshu Pujari i/b. Mahendra N. Sandhyanshiv,
Advocate for Applicant.
- Ms. Mahalakshmi Ganapathy, APP for the State/Respondent.

**CORAM : SARANG V. KOTWAL, J.
DATE : 08th APRIL, 2024**

P.C. :

1. The Applicant is seeking anticipatory bail in connection with C.R.No.14/2024, dated 16/01/2024, registered with Chandwad Police Station, Nashik Rural, under sections 302, 324, 323, 506, 504, 143, 147, 148, 149 of the Indian Penal Code and under section 135 of the Maharashtra Police Act.

2. Heard Mr. Himanshu Pujari, learned counsel for the Applicant and Ms. Mahalakshmi Ganapathy, learned APP for the State.

3. The FIR is lodged by one Sheetal Shinde. She has stated that on 16/01/2024, her husband had gone out to his office. At about 01.30 p.m. he called the informant and told her that Chanchal Kshirsagar and his family members were abusing him. The informant and one Sunita went to that spot. They saw that Chanchal and the other accused were abusing the informant. The others present there intervened and separated the accused and informant's husband Raju. At about 02.30 p.m. when the informant was present with her husband Raju and other family members; Chanchal, Vinod and others came there with iron rods. One Piyush Sutar stabbed Raju on the left side of his chest other parts. One Raj Kshirsagar gave a blow with knife on Raju's head. One Prashant Thorat was assaulted by Piyush. After that, the accused went away. Raju was taken to Suvidha Hospital, Chandwad. But he was declared dead. On these allegations, the FIR was lodged against 10 named accused. The Applicant's name was not mentioned in the FIR.
4. Learned counsel for the Applicant submitted that the Applicant is sought to be arrested merely on some vague

suspicion. The Applicant admittedly was not present on the spot. He had not taken any part in the incident.

5. Learned APP produced the investigation papers and submitted that the informant's supplementary statement is recorded on 28/01/2024. In that statement, she had mentioned that there was a land dispute between Raju on one hand and Chanchal and the present Applicant on the other. There were offences registered against each other. It is alleged that Chanchal and the present Applicant had instigated one Chetan to post defamatory video on a social networking site in the first week of January. When the informant questioned Chetan about it, Chetan had told her that he had posted that video at the behest of Chanchal and the present Applicant. The supplementary statement further mentions that the Applicant had posted two posts on a social networking site. There was indirect reference to the present Applicant.

6. I have seen those posts. There were no direct threats, but there was some reference to the Applicant's enemy. At this

stage, some further response from the investigating agency is necessary. As of today, the Applicant can be protected by ad-interim relief.

7. Considering the seriousness of the incident, he will have to attend the concerned police station and cooperate with the investigation.

8. Hence, the following order :

ORDER

- (i) In the event of his arrest in connection with C.R.No.14/2024, dated 16/01/2024, registered with Chandwad Police Station, Nashik Rural, till the next date, 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 from 22/04/2024 to 25/04/2024

between 01.00 p.m. to 05.00 p.m. and thereafter as and when called and shall cooperate with the investigation.

(iii) This order shall operate till 06/05/2024.

(iv) Stand over to 06/05/2024.

(SARANG V. KOTWAL, J.)