

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO. 1883 OF 2024

Anil Popat Danane	...	Applicant
vs.		
The State of Maharashtra	...	Respondent

Mr. Satyavrat Joshi a/w. Ms. Reena Prajapati, i/b. Yash G. Fadtare for applicant.

Mr. Mayur S. Sonavane, APP for respondent-State.

Mr. S. S. Phadatare, Police Constable, Shahupuri Police Station, District Satara.

CORAM : MANISH PITALE, J.

DATE : 18th JULY, 2024

P.C. :

. Heard learned counsel for the applicant and learned APP for the respondent-State.

2. The applicant is apprehending arrest in connection with FIR No.0213 of 2024 dated 02.05.2024 registered at Police Station Shahupuri, District Satara for offences under Sections 201, 307 and 324 read with Section 34 of the Indian Penal Code, 1860.

3. The learned counsel for the applicant has emphasized upon the fact that in the first remand application, the name of the applicant had not featured and that it was only in the second remand application that the applicant has been specifically named. It is highlighted that in the FIR, only accused No.1 Akshay Kharat has been specifically named. Attention of this Court is also invited to the specific submission made before the Sessions Court to the effect that in the statement recorded under Section 164 of the Code of Criminal Procedure, 1973 (Cr.P.C.), nothing has come on record against the applicant.

4. In that light, this Court put a specific query to the learned APP about the contents of the statement of the informant recorded under Section 164 of Cr.P.C. This Court asked for a copy of the same. But, the investigation papers are not available as on today to assist this Court.
5. Considering the admitted position and the fact that the applicant is not named, this Court is inclined to grant interim relief to the applicant. This Court is informed that even during the pendency of the case before the Sessions Court, the applicant was enjoying interim relief.
6. In view of the above, there shall be interim relief in the following terms:
 - (a) Till the next date, in the event the applicant is arrested in connection with FIR No.0213 of 2024 dated 02.05.2024 registered at Police Station Shahupuri, District Satara, he shall be released on bail on furnishing PR Bond of ₹ 15,000/- (Rupees Fifteen Thousand only) and one or two sureties in the like amount to the satisfaction of the trial court;
 - (b) the applicant shall appear before the investigating officer on 22.07.2024 between 10:00 a.m. and 12:00 noon and thereafter as and when required by the investigating officer;
 - (c) the applicant shall not influence the informant, witness or any person concerned with the case and he shall not tamper with the evidence.
7. Needless to say, violation of any of the aforesaid conditions may result in this order being cancelled.
8. List for further consideration on 13.08.2024 High on Board.
9. This Court expects the learned APP to produce the investigation papers on the next date of listing.

(MANISH PITALE, J)