

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO. 2173 OF 2024**

Dinkar Bhaskar Shinde ... Applicant

vs.

The State of Maharashtra ... Respondent

Mr. Sugandh Deshmukh a/w. Ms. Karishma Shinde and Mr. Vaibhav Thorve
for applicant.

Mr. Kiran C. Shinde, APP for respondent-State.

CORAM : MANISH PITALE, J.

DATE : 22nd AUGUST, 2024

P.C. :

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

2. In this matter, the applicant is apprehending arrest in connection with FIR No.0190 of 2024 dated 27.06.2024 registered at Vadner Bhairav Police Station, District Nashik Rural for offences under sections 328, 272, 273 and 188 of the Indian Penal Code, 1860 (IPC).

3. The learned counsel for the applicant is pressing for relief, while the learned APP has opposed the prayer made in the present application.

4. A perusal of the material on record would show that except offence under section 328 of the IPC, all the other offences are bailable. The question as to whether in such circumstances, section 328 can be invoked or not, is pending consideration before the Supreme Court in a bunch of matters. In such pending cases, the Supreme Court has granted interim protection from arrest. This Court has also granted anticipatory bail and

interim protection in such matters. Therefore, since the applicant is ready to co-operate with the investigation, a case is made out for granting anticipatory bail.

5. In view of the above, the application is allowed in the following terms:
 - (i) In the event the applicant is arrested in connection with FIR No.0190 of 2024 dated 27.06.2024 registered at Vadner Bhairav Police Station, District Nashik Rural, he shall be released on bail on furnishing PR Bond of ₹ 50,000/- with one or two sureties in the like amount to the satisfaction of the trial Court;
 - (ii) the applicant shall remain present before the Investigating Officer on 26.08.2024 between 10:00 a.m. and 12:00 noon and thereafter, as and when the Investigating Officer calls upon them to remain present;
 - (iii) the applicant shall not tamper with the evidence of the prosecution in any manner. He shall not influence the informant, witnesses and other persons concerned with the case;
 - (iv) the applicant shall co-operate with the investigation and also in the proceedings before the trial court.
6. In the event, the applicant violates any of the conditions specified in this order, it shall be liable to be cancelled.
7. It is also clarified that the observations made in this order are limited to the disposal of the present anticipatory bail application and the trial court shall proceed further in the matter without being influenced by the observations made hereinabove.
8. The application stands disposed of.

(MANISH PITALE, J)