



**IN THE JUDICATURE OF HIGH COURT AT BOMBAY
BENCH AT AURANGABAD**

912 ANTICIPATORY BAIL APPLICATION NO. 1371 OF 2024

Munna @ Dattatraya Chandrapal Awasti

VERSUS

The State Of Maharashtra

...

Advocate for Applicant : Mr. Tungar Nikhilesh K.

APP for Respondents-State: Mr. N. B. Patil

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CORAM : ARUN R. PEDNEKER, J.

Dated : February 12, 2025.

PER COURT :-

1. Heard learned counsel for the applicant and the learned APP for the respondent-State.
2. The applicant is apprehending arrest in connection with FIR No.614/2023, dated 18/10/2023, registered at Udgir (Rural) Police Station, District Latur, for the offences punishable under sections 364-A, 365, 368, 384, 386, 324, 343, 346, 347, 323, 504, 506 r.w.34 of the Indian Penal Code.
3. The FIR, *prima facie*, does not appear to reflect the actual state of events. Upon perusal of the information and the investigation papers, it is evident that the informant has systematically narrated the entire episode of kidnapping and ransom. However, a crucial aspect of the incident is the absence of any immediate reaction from the informant—no alarm was raised, nor was any attempt made to alert others at the time of the alleged kidnapping, more particularly there the informant is stated to have accompanied an advocate on scooter for purchase of stamp-paper

and also where the informant stayed with the accused in the lodge. This casts doubt on the spontaneity and credibility of the allegations.

4. As regards the present applicant, there is no direct attribution of any overt act to the applicant that would suggest his active involvement in the crime. *Prima facie*, the FIR does not bear true state of affairs.

5. Considering the aforesaid aspects, the application is allowed in the following terms : -

i] In the event the applicant is arrested in connection with FIR No.614/2023, dated 18/10/2023, registered at Udgir (Rural) Police Station, District Latur, for the offences punishable under sections 364-A, 365, 368, 384, 386, 324, 343, 346, 347, 323, 504, 506 r.w.34 of the Indian Penal Code, he shall be released on bail on furnishing PR bond of Rs.20,000/- with one or two sureties in the like amount to the satisfaction of the trial Court.

ii] The applicant shall attend the police station as and when called by the police.

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.

(ARUN R. PEDNEKER, J.)

vj gawade/-.