

HARSHADA H. SAWANT
(P.A.)

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO.3628 OF 2024

Gaurav Rampal Valmiki and Anr. .. Applicants

Versus

State of Maharashtra
(Through Vile Parle Police Station) .. Respondent

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- Mr. Ravishankar Dwivedi a/w. Mr. Satish Shukla, Advocates for Applicants.
 - Mr. Hitendra J. Dedhia, APP for Respondent – the State of Maharashtra.
 - PSI – J. B. Nikam, Vile Parle Police Station.
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CORAM : MILIND N. JADHAV, J.

DATE : JANUARY 03, 2025

P.C.:

1. Heard Mr. Dwivedi, learned Advocate for Applicants and Mr. Dedhia, learned APP for Respondent – the State of Maharashtra.

2. I am informed that two Applicants before me are arraigned as Accused in the present crime. Initially First Information Report was filed on 28.02.2024 against three unknown persons.

3. Mr. Dwivedi, learned Advocate for Applicant draws my attention to order dated 02.04.2024 appended at page No.23 enlarging the Applicants on bail by the concerned Trial Court.

4. He would submit that subsequent thereto charge-sheet has been filed on 29.02.2024 which is appended at page No.28 of the Application. He would submit that after the charge-sheet is filed

offence punishable under Section 307 of Indian Penal Code, 1860 (for short '**IPC**') has been added and therefore Applicants now have an apprehension that even though they have been enlarged on bail, in view of addition of offence under Section 307 of IPC they might be arrested.

5. Mr. Dedhia has immediately intervened with permission of the Court and informed the Court on taking instructions from the concerned Investigating Officer Mr. J. B. Nikam, PSI of Vile Parle Police Station that custody of Applicants is not required but they may be put to appropriate terms to attend the investigation as and when called for. The stand adopted by Mr. Dedhia is fair. In view of the order dated 02.04.2024 enlarging the Applicants on bail. Anticipatory Bail Application stands allowed in terms of prayer clause (a) and following order is passed:-

- (i) In the event of the arrest, Applicants be enlarged on bail on executing P.R. Bond in the sum of Rs.25,000/- each with one or two sureties in the like amount;
- (ii) Applicants shall report to the Investigating Officer of the concerned Police Station once a month from 10:00 a.m. to 12:00 noon on the first Monday of each month in the first instance for six months and thereafter as and when called for by the Investigating Officer alongwith the

requisite information / documents;

- (iii) Applicants shall furnish particulars of their addresses and mobile numbers to the Investigating Officer within one week from today;
- (iv) Applicants shall not misuse their liberty in any manner or influence the informant, witnesses or any person concerned with the case and they shall not tamper with the evidence;
- (v) It is directed that Applicants shall extend complete cooperation in the investigation of the instant case;
- (vi) Applicants shall not make any attempts to re-associate with the victim in any manner either through any device or in-person; and
- (vii) Any infraction of the conditions shall entail revocation of this order.

6. Parties to act on a server copy of this order.

7. Anticipatory Bail Application is allowed.

H. H. SAWANT

[MILIND N. JADHAV, J.]

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