

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO. 539 OF 2025

Gopal Limbrao Shinde

..... Applicant

VERSUS

State of Maharashtra

..... Respondent

Dr. Uday Warunjikar a/w. Ms.Sakshi Inamdar, Adv. Uzma Pathan, i/b.
Ms.Sonali R. Chavan for the Applicant.

Ms.Supriya Kak, A.P.P. for the State.

CORAM : RAJESH S. PATIL, J.

DATE : 11th MARCH, 2025

P.C. :-

By my order dated 3rd March, 2025, the present applicant was directed to attend the office of the Investigating Officer on 5th March 2025 and 6th March 2025 between 11:00 a.m. to 2:00 p.m. and accordingly an order was passed. For ease of reference, the said order dated 3rd March, 2025 is reproduced hereinbelow :-

The first informant, is today present in the Court, who is assisting the Investigating Officer.

2. This anticipatory bail application has been filed by the father-in-law of the informant who is arraigned as the accused no.1. Two of the accused have been granted pre-arrest bail order from the

High Court. The wife of the informant is also an accused, has been granted pre-arrest bail by the Hon'ble Supreme Court. One of the accused has been granted regular bail from the Trial Court. The bail application of the mother-in-law of the informant's has been rejected and she is absconding. As regards to her, it has been mentioned in the FIR that she was the one who had inserted chili powder in the eyes of the informant.

3. The learned A.P.P. submits that a cross FIR has been filed by the accused person against the first informant belatedly after three months of the Supreme Court granting pre-arrest bail to the wife of the informant.

4. Dr.Warunjikar, learned counsel for the applicant submits that the present applicant is 61 years of age. He is ready to co-operate with the police in order to record his statement.

5. Dr.Warunjikar, learned counsel further submitted that in the recovery of weapons statement, the wooden stick has been recovered as shown at page 48.

6. As regards the present applicant, it has been stated that he hit the informant with wooden stick. The learned counsel for the applicant further submitted that as regards the offences punishable under the Maharashtra Prevention and Eradication of Human Sacrifice and Other Inhuman, Evil and Aghori Practices and Black Magic Act, 2013, the maximum punishment is six months. He submits that if the applicant is ready to co-operate, there is no need to arrest the present applicant.

7. Considering the documents on record and after hearing the counsels, I am hereby directing the applicant to remain present before the concerned Investigating Officer in order to record the statement for carrying out further investigation on 5th March 2025 and 6th March 2025 between 11:00 a.m. to 2:00 p.m.

8. Stand over to **11th March, 2025**. Matter to come up under the caption of '**Urgent Circulation**'.

9. In the meanwhile, no coercive steps be taken against the applicant.

2. Today it is submitted before me that the applicant has co-operated and attended the office of the Investigating Officer on 5th March 2025 and 6th March 2025.

3. The applicant is 61 years of age. The allegation that he has used wooden stick in the crime has already been recovered. He has co-operated with the police and undertakes to co-operate with the police in the near future. A cross FIR has been filed by the accused person (who is the wife of the first informant) against her own husband, the first informant herein. The wife has been granted pre-arrest bail by the Supreme Court.

4. *Prima facie* I am satisfied that case is made out for grant of anticipatory bail. Hence, the following order :-

ORDER

(a) **The anticipatory bail application is allowed.**

(b) In the event of arrest in connection with FIR No. 1038 dated 21st October, 2023 registered with Wakad Police Station, Pimpri-Chinchwad for the offences punishable under Section 3 of the Maharashtra Prevention & Eradication of Human Sacrifice and Other Inhuman, Evil and Aghori Practices and Black Magic Act, 2013, Sections 37(1) and 135 of the Maharashtra Police Act, 1951 and Sections 506, 326, 324, 323, 149, 148, 147, 143 of the Indian Penal Code and Sections 4 and 25 of the Arms Act, the applicant shall be released on bail, on furnishing P.R. bonds to the extent of Rs.30,000/- with two or more sureties of the like amount.

(c) The applicant shall co-operate with the

investigation and attend the Investigating Officer of the concerned Police Station, as and when called.

(d) The applicant shall not directly or indirectly make any inducement, threat or promise to any person acquainted with facts of case so as to dissuade him from disclosing the facts to Court or any Police Officer and shall not tamper with evidence.

(e) The applicant shall furnish details of his residential addresses, contact numbers and e-mail addresses to the Investigating Officer.

5. The anticipatory bail application is disposed of.

[RAJESH S. PATIL, J.]