

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO. 686 OF 2014

Uttam Chintappa Chavan & Ors.	..	Applicants
vs.		
The State of Maharashtra	..	Respondent

Mr. Rameshwar N. Gite with Mr. Sachin B. Chandan for
Applicants.
Ms P.P. Shinde - APP for the State.

CORAM : M. S. SONAK, J.
(Vacation Court)

DATE : 30TH MAY 2014

P.C. :-

1] Heard the learned counsel for the Applicant and the learned
APP for the State.

2] The Applicants who are the in-laws of Shilpa Ganesh
Chavan , the Complainant, have applied for anticipatory bail before
the Sessions Judge, Alibaug, being ABA No. 502 of 2014. By order
dated 21.05.2014, the Sessions Judge has declined the Applicants
interim protection, but the application for anticipatory bail is posted
for hearing on 04.06.2014.

3] The learned counsel for the Applicants points out that Ganesh
Uttam Chavan, the husband of the Complainant has been arrested

on 16.05.2014 in connection with the very same offences, which have been alleged against the Applicants herein i.e. offences under Sections 498A, 323, 406, 504, 506(II) r/w Section 34 of the Indian Penal Code. The said Ganesh Chavan has already been enlarged on regular bail.

4] The learned APP, on instructions from API C. D. Choudhary, Kamothe Police Station, who is present in court, also confirms that Ganesh Chavan has since been enlarged on bail. However, the learned APP points out that such enlargement is on regular bail and not anticipatory bail.

5] Be that as it may, taking into consideration the aforesaid circumstances, in my judgment, the Applicants can also be extended interim protection until their application for anticipatory bail is finally decided by the Sessions Judge, Alibaug.

6] Accordingly, pending the hearing and final disposal of the Applicants bail application before the Sessions Judge, Alibaug, in case the Applicants are arrested, then they may be enlarged on interim bail subject to following conditions:

- (a) The Applicants shall furnish a Personal Bond in an amount of Rs.20,000/- (Rupees Twenty Thousand)

each;

- (b) The Applicants shall furnish one or two local sureties in the like amount each;
- (c) The Applicants shall join in the investigation and refrain from making any attempts to either flee from justice or to tamper with evidence.

7] Needless to add that the State shall be at liberty to apply in case the Applicants breaches any of the aforesaid conditions.

8] Parties to act on the basis of an authenticated copy of this order.

(M. S. SONAK, J.)

Chandka