

(ORDER BELOW EXH-No.05 IN CRI.M.A. No.487/2018.

(Lahu Gangaram Pawar Vs. State of Maharashtra)

1- Present application is filed under Section 438 of the Code of Criminal Procedure.

2- Learned advocate for the applicant/accused submitted that the First Information Report lodged against the accused for the offences under Sections 354-A and 452 of the Indian Penal Code. The allegations that the accused on 06.08.2018 entered in the house of informant and abused her and beat her and threatened to kill her. Actually all the offences are bailable except the offence under Section 452 of the Indian Penal Code, and therefore, accused required protection from arrest. Hence, his presence is not required with the police for investigation, and therefore, he may be released on interim anticipatory bail till disposal of main application.

3- On perusal of First Information Report, it finds that the allegations against the accused are grave that he committed house trespass and committed the offence against informant. Whether the accused has any relation with the informant or not that is required to be considered by the police after the interrogation with the accused and if accused is granted bail, the police would not get such chances. At this stage, the accused is not entitled to get interim anticipatory bail till final disposal of this application. Hence, following order is passed.

ORDER

The application (Exh-05) is dismissed.

Sd/-

(Onkar R. Deshmukh)
Additional Sessions Judge,
Parbhani.

Date : 11.09.2018.