

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO.871 OF 2015

Satish Ramchandra Kashid ... Applicant

Vs.

The State of Maharashtra ... Respondent

Mr.P.M. Jadhav for the Applicant
Ms.Veera Shinde, APP, for Respondent – State

CORAM: **MRS.MRIDULA BHATKAR, J.**

DATE: **JULY 31, 2015**

P.C.:

1. The application is filed for pre-arrest bail as the applicant is apprehending arrest in C.R. No.98 of 2015 registered with the Town police station, Pandharpur, District Solapur for the offences punishable under sections 353, 323, 504 and 506 of the Indian Penal Code. One Yogesh Govind Khairnar, Assistant Traffic Inspector, gave information to the police that when he was performing his duty, he found one truck which was overloaded and when he demanded fine amount from the owner of the truck I.e., the applicant/accused, he argued with him and tried to enter the truck cabin. When the complainant was persuading him, he pushed him and ran away. Pursuant to the information, the offence was registered.

2. The learned Counsel for the applicant/accused submitted that the applicant is innocent. In fact, the police have taken away some amount

from the drop box of the truck and, therefore, this false case is registered against the applicant/accused. The applicant/accused is ready to pay the fine amount as the truck was overloaded.

3. Learned Prosecutor has opposed the application. She submitted that the offence is committed against a public servant.

4. Perused the FIR. Section 353 is non-bailable as a public servant is obstructed from performing his duty. However, considering the nature of obstruction, I am inclined to confirm the interim pre-arrest bail granted on 25.6.2015 on the same terms and conditions with a modification in the attendance part to only two days i.e., on 6th August, 2015 and 13th August, 2015 between 11am to 12noon at the concerned police station.

5. Anticipatory Bail Application is disposed of accordingly.

(MRS.MRIDULA BHATKAR, J.)