

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

ANTICIPATORY BAIL APPLICATION NO. 1313 OF 2015

Madhuri Vijay Shivkar & Ors. ... Applicants.

V/s.

The State of Maharashtra ... Respondent.

Mr. Santosh Pawar, Advocate for the Applicants.

Mr. S. H. Yadav, A.P.P. for the Respondent - State.

API Santosh A. Gaikwad, Sion Police Station, is present.

CORAM : REVATI MOHITE DERE, J.

DATE : 15th SEPTEMBER, 2015

P.C. :

1 Heard learned counsel for the applicant and the learned APP for the State.

2 By this application, the applicants seek pre-arrest bail in connection with C.R. No. 242 of 2015 registered with the Sion Police Station, Mumbai, for the alleged offences punishable under Sections 141,143,149,152,332,353,504, 506 r/w. section 34 of the Indian Penal Code.

3 The complainant is a lady police constable. According to her, the Mumbai Municipal Corporation was on a

demolition drive and that she was present at the spot of bandobast. She has alleged that the present applicants alongwith the other co-accused tried to restrain/obstruct the officers of the Municipal Corporation from carrying out the demolition work and it is in these facts, that a scuffle took place, in which she was manhandled by the present applicants.

4 Learned APP has relied on the injury certificate of the complainant. It appears that the complainant had sustained simple injuries. Perused the papers. It appears that the incident has taken place on the spur of moment, while the officers of the Municipal Corporation were on a demolition drive.

5 Considering the nature of allegations and the injuries sustained by the complainant, which are simple in nature, custody of the applicants is not required. Accordingly, the applicants are granted pre-arrest bail on the following terms and conditions :

ORDER

- (i) In the event of the arrest, the applicants be enlarged on bail on furnishing P.R. Bond in the sum

of Rs.10,000/- each with one or two sureties in the like amount ;

(ii) The applicants shall attend the concerned Police Station on every Saturday from 10 am to 1 pm till filing of the chargesheet.

(iii) The applicants shall not tamper or attempt to influence the complainant, witnesses or any person concerned with the case.

6 The application is disposed of accordingly.

All concerned to act on the authenticated copy of this order.

(REVATI MOHITE DERE, J.)

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CERTIFICATE

*Certified to be true and correct copy of the original
signed order.*
