

IN THE HIGH COURT OF JUDICATURE AT BOMBAY:
NAGPUR BENCH : NAGPUR
Criminal Application [BA] No. 567 of 2015
[RaHul Mukesh Bhatia Vs. State of Mah.]

**Office Notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.**

Court's or Judge's orders

Mr. Subodh Dharmadhikari, Sr. Adv. With Mr. C.S. Dharmadhikari and
Mr. S.A. Dharmadhikari, Advs., for the applicant.
Ms. T.A. Udesi, APP for respondent.

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CORAM : V.M. DESHPANDE, J.

DATE : 31st August, 2015.

01. Heard Shri S.P. Dharmadhikari, learned Sr. Adv. with Shri C.S. Dharmadhikari and Shri S.A. Dharmadhikari, Advs., for the Applicant and Ms. T.A. Udesi, learned Addl. Public Prosecutor for the respondent-State.

02. The Applicant is seeking his enlargement on bail , since he is arrested in connection with Crime No. 100/15 registered with Police Station, Chikhaldara, Tq. Achalpur, Distt. Amravati, for the offences under Sections 395, 353, 332, 427, 323 and 504 of Indian Penal Code, read

with Section 3 of the Prevention of Damage to Public Property Act, 1984. The First Information Report is lodged by the Manager of a Resort of Maharashtra Tourism Development Corporation.

The applicant is arrested along with the other co-accused.

03. According to the prosecution, on 2nd August, 2015, all the accused, including the present applicant, came to the resort. At that time, they were under the influence of liquor. A dispute started with the manager of the resort on account of making available the accommodation to them. According to the First Information Report, when it was made clear by the Manager that no accommodation is available, the applicant and other accused persons indulged themselves into vandalism and they damaged the resort. This is the basic accusation in the First Information Report.

04. According to the prosecution, a golden ring is also recovered from a vehicle. However, learned APP fairly submitted that the said ring was not recovered from the present applicant.

05. The learned Senior Counsel invited my attention to page 17 of the bail application, which shows that the present applicant is pursuing his studies.

06. Looking to the said aspect, and in view of the fact that though the charge-sheet is not filed, from the investigation, it appears that the investigation is almost over. I, therefore, see no reason that the applicant should be allowed to languish in the jail any further . That leads me to pass the following order:

ORDER

- [a]** Criminal Application [BA] No. 567 of 2015 is allowed.
- [b]** The Applicant – Rahul son of Mukesh Bhatia be released on bail on he executing a Personal Bond in the sum of Rs. 25,000-00 [rupees twenty-five thousand only] with one surety of like amount in connection with Crime No. 100/15 registered with Police Station, Chikhaldara, Tq. Achalpur, Distt. Amravati, for the offences under Sections 395, 353, 332, 427, 323 and 504 of Indian Penal Code, read with Section 3 of the Prevention of Damage to Public Property Act, 1984.
- [c]** The Applicant shall attend the Police Station as and when called by the Investigating Officer. However, it is made clear that the Investigating Officer should give a clear cut

forty-eight hours written communication to the applicant in that regard.

[d] With this, application is allowed and disposed of.

Hamdast is allowed.

Judge

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