

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CRIMINAL APPLICATION NO. 1857 OF 2016

Anil Bhausahab Markad,
Age : 28 years, Occu.: Agril. & Driver,
R/o. Nivdunge, Tq. Pathardi,
Dist. Ahmednagar .. Applicant

Vs.

1] The State of Maharashtra
2] The Superintendent of Police,
Ahmednagar, Dist. Ahmednagar .. Respondents

Mr. Rajendra K. Temkar, Advocate for the applicant
Mr. M.B. Bharaswadkar, A.P.P. for the respondent-State

CORAM : M.T. JOSHI, J.

DATE : 06/04/2016

ORAL ORDER :

Heard both sides.

2. The present applicant, who is apprehending arrest at the hands of Pathardi Police Station, Dist. Ahmednagar in crime no. 68 of 2016 for the offences punishable under section 452, 435, 323, 504, 506, 427 of the Indian Penal Code, is praying for his release on bail, in the event of his arrest.

3. Hearing from both the sides as well as the case papers would show that earlier the wife of the present applicant had filed a complaint against the present complainant and his family members that over a dispute of lending of money, they barged in her house on 20/02/2016 and damaged the crate, which is used for loading pomegranate. They also bet her with fists and kicks. Accordingly, non-cognizable case was registered. Thereafter, the complainant filed the present complaint on the 22/02/2016 to the effect that in the noon on that day, the present applicant alongwith his family members barged in her house and asked the complainant to withdraw her earlier complaint and that the money lent be not recovered and in the said incident, besides giving abuses and besides beating with fists and kicks, refrigerator, television set and other domestic articles were damaged by the present applicant and his companion and, therefore, the offence came to be registered.

4. Perused the copy of the panchanama placed for perusal by the learned A.P.P. Upon perusal of the said

panchanama, in my view, the custodial interrogation of the present applicant is not required.

5. In the circumstances, the following conditional order:-

6. In the event of the arrest of the applicant in crime no. 68 of 2016 registered at Pathardi Police Station, Tq. Pathardi, Dist. Ahmednagar for the offences punishable under section 452, 435, 323, 504, 506, 427 of the Indian Penal Code, he be released on bail, upon his executing P.R. bond in the sum of Rs.15,000/- (Rs. Fifteen Thousand) and also upon furnishing surety in the like amount.

7. The applicant shall not enter the territorial limits of village Nivdunge, Tq. Pathardi, Dist. Ahmednagar for a period of three (3) months without the prior permission from the concerned Investigating Officer.

8. The applicant shall intimate his fresh address to the Investigating Officer and shall remain present with the Investigating Officer, as and when reasonably

called for the purposes of investigation/interrogation.

9. The applicant shall not in any way attempt to influence the prosecution witnesses in any manner.

10. Application is accordingly allowed and disposed of.

[M.T. JOSHI]
JUDGE

arp/