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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**  
**CRIMINAL APPELLATE JURISDICTION**  
**ANTICIPATORY BAIL APPLICATION NO.954 OF 2016**

|                            |               |
|----------------------------|---------------|
| Hanumant Mahadev Katakunde | ..Applicant.  |
| V/s.                       |               |
| State of Maharashtra       | ..Respondent. |

Mr.Kiran Nikam i/b. Mr. R.V. Bansode for the applicant.

Mr.Deepak Thakarey, APP for respondent-State.

**CORAM : A.M.BADAR, J.**

**DATED : 20TH JUNE, 2016**

**P.C. :-**

1. The applicant / accused in Crime No.34/2016 for offences punishable under sections 333, 353, 504, 506 read with 34 of the Indian Penal Code registered with Mhaswad Police Station, Satara by this application is seeking pre-arrest bail.

2. Heard the learned counsel for the applicant as well as the learned APP. The learned APP argues that allegations against the applicant are serious and he has obstructed the team of the revenue department while carrying on demolition

of the temple as per the directions of the Hon'ble Supreme Court. The learned APP submitted that in that process, the applicant assaulted the Tahsildar and caused fracture injury to her left leg.

3. The learned counsel for the applicant has placed on record a copy of the plaint of Civil Suit No.52/2014 as well as interim order passed therein.

4. Perused the case diary as well as the F.I.R. and copy of the plaint in the said Civil Suit. It is seen that present applicant has instituted suit against the revenue department as well as municipal council, Mhaswad for restraining the defendants therein from demolishing the temple of Renukamata. The learned Civil Judge, S.D. had ordered the authorities to maintain status quo in respect of the suit property i.e. Renukamata Mandir. The F.I.R. shows that the despite the status quo order passed by the competent Civil Court the team of the revenue department attempted to demolish the Renukamata temple. The learned counsel for the applicant made a statement that the said temple is demolished in flagrant disregard to the order of the Civil Court

by the team of the revenue department. It appears that because of protests from Pujari and other devotees of the temple, there was some commotion in which Tahsildar and some others suffered some injuries. Perusal of the papers of investigation shows that only one person by name Balasaheb Shirshat had suffered injury in the nature of pain tenderness and swelling of right ankle. The learned APP could not find any injury suffered by the Tahsildar Surekha Mane as alleged in the F.I.R.

5. In this view of the matter, the liberty of the applicant needs to be protected. Custodial interrogation of the applicant is not warranted. Hence the order:-

- (i) The application is allowed;
- (ii) The order dated 8<sup>th</sup> June, 2016 is confirmed on the terms and conditions;
- (iii) In addition, the applicant / accused shall attend Mhaswad Police Station, Satara on 26<sup>th</sup> June, 2016 between 11.00 a.m. to 1.00 p.m.;

- (iv) The applicant / accused shall co-operate for expeditious disposal of the trial;
- (v) Applicant / accused shall not commit an offence similar to the offence of which he is accused or suspected of the commission;
- (vi) The application is disposed of accordingly.

**(A.M.BADAR, J.)**