

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH AT NAGPUR

CRIMINAL APPLICATION (ABA) NO. 289 OF 2016

(Omprakash @ Bacchu Babarao Kadu Vs. The State of Maharashtra)

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

Court's or Judge's orders

Shri P. S. Patil, Advocate for the applicant.
Shri S. S. Doifode, A.P.P. for the State.

CORAM : S. B. SHUKRE, J.
DATED : 20 JUNE, 2016

Heard.

Learned A.P.P. for the State opposed the application contending that even this applicant had taken part in pushing aside the police constable on duty. However, learned Counsel for the applicant submits that all that this applicant had done on 23/4/2016 was to question the police constable on duty regarding his inaction and failure to perform the duty.

On perusal of the FIR as well as the case papers, I find that the incident had occurred prima facie as a result of this applicant questioning the police constable on duty regarding his failure to perform duty in taking action against the travel buses, which in the opinion of this applicant, were not following the traffic rules. Considering such genesis of the incident and also the fact that the crowd had gathered there, the possibility of some people taking law in their hands because of which even this applicant getting dragged into the controversy is not ruled out, I am of the view that the applicant deserves to be released on anticipatory bail.

Accordingly, the application is allowed and the interim bail granted by this Court on 03/5/2016 is hereby confirmed.

JUDGE