

**IN THE HIGH COURT AT BOMBAY
APPELLATE SIDE, BENCH AT AURANGABAD**

4 CRIMINAL APPLICATION NO. 2060 OF 2017

AADITYA DASHRATH GARAD
VERSUS
THE STATE OF MAHARASHTRA

...
Advocate for Applicant : Mr. P.V. Barde
APP for Respondent/State : Mr. R.V. Dasalkar

...
CORAM : T.V. NALAWADE, J.
DATED : May 3, 2017.

ORDER :

1. The application is filed for relief of anticipatory bail in C.R. No. 67/17 registered in Yusuf Wadgaon Police Station, Tahsil Kaij, District Beed for the offences punishable under sections 353, 427, 34 etc. of I.P.C. Both the sides are heard.

2. The crime is registered on the basis of report given by one Madhav Garjale, S.T. bus driver. He has made allegations that on 30.3.2017 after 1.00 a.m. when he was driving S.T. bus and he was taking the bus towards Kallamb side from Ambajogai, one motorcycle on which two persons were riding, intercepted his vehicle. He has made allegations that they gave abuses to him and when he stopped the vehicle, the person sitting on the rear side threw stone on the bus and due to that, front glass of the bus was broken and damage was caused to the vehicle. They somehow caught hold one person by name Shivam Jadhav and they learnt

that present applicant was his associate. The present applicant ran away from the spot. Damage of worth Rs.20,000/- was caused to the bus and so, the crime was registered for aforesaid offences.

3. The learned counsel for applicant submitted that applicant is aged about 20 years and he did not pelt stone and so, the protection needs to be given to him. This submission is not at all acceptable. The allegations made by the bus driver shows that both the accused persons riding the motorcycle have caused damage to the bus and they have given abuses to him. Such incidents cannot be taken lightly as in incident of causing damage to public property, to make them realise that they will be sent behind bars if they commit such offence. This Court holds that discretionary relief cannot be given in favour of such persons. Unless such steps are taken, the elderly persons of their house, parents will not interfere and take steps to improve the persons like the applicant. For this reason, this Court holds that the relief of anticipatory bail cannot be granted in favour of the present applicant. He escaped on that day and it can be said that he is avoiding the process of law. In the result, the application stands rejected.

[T.V. NALAWADE, J.]

ssc/