

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPTORY BAIL APPLICATION NO. 980 OF 2017**

1.	Suhas Kumar Aaware,	
2.	Kumar Dnyanoba Aaware	...Applicants
	Versus	
	The State of Maharashtra	...Respondent

Mr. P. B. Naiknaware for the Applicants

Mr. Rajan Salvi, A.P.P for the Respondent-State

CORAM : REVATI MOHITE DERE, J.
FRIDAY, 16th JUNE, 2017

P.C.

1. Heard learned Counsel for the parties.

2. By this application, the applicants seek pre-arrest bail in connection with C.R. No. 296 of 2017 registered with the Mohol Police Station, Solapur, for the alleged offences punishable under Sections 352, 353, 188, 143, 145, 504 and 506 of the Indian Penal Code.

3. Learned Counsel for the applicants submits that no offence as alleged is disclosed *qua* any of the applicants. He submitted that the

incident in question is alleged to have taken place on 25th April, 2017 after 10:00 p.m. He submitted that according to the prosecution, Dolby music was being played in the Ambedkar Jayanti procession, after the 10:00 p.m. deadline and that despite being asked to stop the music, the applicants refused to shut down the music and instead back answered the police constable. He submits that there are no allegations that the applicants either assaulted or abused the police.

4. Learned A.P.P does not dispute that the applicant has attended the concerned police station as directed by this Court vide order dated 8th June, 2017. It appears that the incident took place on 25th April, 2017 after 10:00 p.m., as the applicant refused to shut down the music, despite being requested by the police to stop the music. There are no allegations that the applicants either assaulted or abused the police.

5. Considering the aforesaid, custodial interrogation of the applicant is not required. Accordingly, the application is allowed and the applicants are granted pre-arrest bail on the following terms and conditions :

ORDER

- (i) In the event of the arrest, the applicants be enlarged on bail on executing P.R. Bond in the sum of Rs.15,000/- each, with one or two sureties in the like amount;
- (ii) The applicants shall report to the Investigating Officer of the concerned Police Station as and when called.

- 6. The application is accordingly disposed of.
- 7. It is made clear that the observations made herein are *prima facie*, for the purpose of deciding this application.
- 8. All concerned to act on the authenticated copy of this order.

REVATI MOHITE DERE, J.