

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL ANTICIPATORY BAIL APPLICATION NO. 1004 OF 2017**

Nilesh Vrajlal Bhatt

...Applicant

Versus

The State of Maharashtra

...Respondent

Mr. N. P. Bhavsar for the applicant.

Mr. Ameet A. Palkar, APP for the respondent-State.

CORAM : PRAKASH D. NAIK, J.

DATE : 3 JULY 2017

P.C. :

1. This is an application for anticipatory bail in connection with C.R. No.I-106 of 2017 registered with Nalasopara Police Station, Palghar.

2. The applicant preferred an application for anticipatory bail before the Sessions Court which was rejected on 6th June, 2017. The prosecution case is that the applicant obstructed the police while discharging their duties. The police were conducting investigating in connection with C.R. No.101/2017 registered under section 379 of IPC. At that time, the applicant tried to video record the acts of police from his mobile. When he was cautioned by the police he got down from vehicle and told the police that he is a Journalist. The

applicant caught hold of the collar of the police officer and manhandled him. He was apprehended and taken to the police station immediately. Thereafter, FIR was registered for offence under section 353 of IPC.

3. Learned advocate for the applicant submitted that the applicant is social worker. He has made several complaints against illegal activities going on in the local area. The applicant had also made grievance against the police at Nalasopara hence police have grudge against him. He denied having committed such offence. He submitted that custodial interrogation of the applicant is not necessary. He is willing to hand over the mobile phone for the purpose of investigation.

4. Learned APP vehemently opposed the application for bail. He submitted that the applicant had no regard for law and the protectors of law. He was obstructing police from discharging their duty. He has caught hold of the collar of the police officer, which shows his conduct and he is not entitled for anticipatory bail. He further submitted that there are two eye witnesses to the incident. The custody of applicant is necessary.

5. Perused the papers. It is mentioned in the FIR that after the incident the applicant was taken to the police station. However, he was not arrested, nor the cell phone from which allegedly the applicant shot the incident was not taken into the custody by the police. The FIR was subsequently registered at 4.15 pm. The incident had occurred on 11.00 am. The applicant is willing to cooperate with the investigation and ready to hand over the cell phone to the police. Considering the aforesaid circumstances, the application can be allowed.

ORDER

- (i) Anticipatory Bail Application No.1004 of 2017 is allowed.
- (ii) Interim order dated 14 June, 2017 is confirmed.
- (iii) The applicant is directed to report to Nalasopara Police Station, Palghar once in a week on every Saturday between 11.00 am to 1.00 pm fill filing of chargesheet.
- (iv) The applicant is directed to maintain diary of reporting the police station and whenever he reports the investigating officer or any other police officer, the said officer is directed to give acknowledgment to him.
- (v) Application stands disposed of.

[PRAKASH D. NAIK, J.]