

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

CRIMINAL APPLICATION (ABA) NO. 593 OF 2017

(Jairam Ramu Jadhav..vs..State of Maharashtra, through PSO.PS.Bibi,Tahsil-Lonar,District-Buldhana)

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.Sadavarte, Advocate for applicant.

Shri Indranil Damle, A.P.P. for State-non-applicant.

CORAM : V.M. DESHPANDE, J.

DATED : AUGUST 31, 2017

Heard learned counsel for applicant and learned
 A.P.P.for State.

2] This is an application for grant of pre-arrest bail since the applicant is apprehending his arrest in connection with crime No.52/2017,registered with P.S.Bibi, Tahsil-Lonar, District-Buldhana, for the offence punishable under Sections 353,332, 448, 186 r/w Section 34 of the Indian Penal Code and Section 3 of the Prevention of Damage to the Public Property Act.

3] The applicant is head master of Zilla Parishad Primary School,Pimpri Khandare, Tahsil Lohar,District-Buldhana.

4] Today, this Court has decided Criminal Application (ABA)No.592/2017which was filed by the son of the present applicant by name Pawan Jairam Jadhav. While deciding the application of Pawan, this Court has elaborately discussed the prosecution case for the reasons stated in the order dated 31/7/2017 in Criminal Application(ABA) No.592/2017 altogether with the fact that the present applicant also immediately rushed to the police station and has lodged the report against Prakash

Tagwale on the basis of which even the non-cognizable offence was registered against Prakash Tagwale.

5] Prima facie, it appears that there is a dispute between the present applicant and Prakash. In so far as the assault as I have discussed in Criminal Application (ABA) No.592/2017 shows no injury on Prakash. False implication by each other is not completely ruled out.

6] Applicant is a head master and there is no reason that he will not be available to the course of justice. Further, this Court while granting ad-interim bail in his favour on 16/8/2017 has already directed the applicant to attend police station on 23/8/2017 and 27/8/2017 between 11.00 am. To 5.00 p.m. When the matter was called there is nothing to show that the applicant has not attended the investigating officer. The learned counsel for applicant made a statement across a bar that applicant has attended police station on 23/8/2017 and 27/8/2017. Looking to the aforesaid, I am of the view that the present applicant has made out a case of pre-arrest bail. Resultantly, I pass the order.

ORDER

- I) The application is allowed.
- II) In the event of arrest of applicant Jairam S/o Ramu Jadhav, in crime No.52/2017, registered with P.S.Bibi, Tahsil-Lonar, District-Buldhana, for the offence punishable under Sections 353, 332, 448, 186 r/w Section 34 of the Indian Penal Code and Section 3 of the Prevention of Damage to the

Public Property Act, he be released on bail on he
executing P.R. of Rs.25000/- with solvent surety in the like
amount

III) The application is disposed of.

JUDGE

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