

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

ANTICIPATORY BAIL APPLICATION NO. 2315 OF 2018

Akshay D. Jadhav and anr.

...Applicant.

Vs.

The State of Maharashtra

...Respondent.

Ms. Manisha Devkar with Shankar Katkar for the Applicant.

Smt. J.S.Lohokare, APP. for the Respondent/State.

CORAM : A.S.GADKARI, J.

DATE 26th November, 2018

PC :

1. The applicant is apprehending arrest in CR No.155 of 2018 dated 8.10.2018 registered with Medha Police Station, District Satara under Section 354, 454-A, 452, 143, 147, 149, 323, 504 and 506 of the Indian Penal Code.

2. Heard the learned counsel appearing for the applicant and the learned APP. Perused the record.

The first information report is lodged by Ms. Aarti J. Jadhav. It is stated that. the accused namely Samir Jadhav, Rushikesh Jadhav, Vaibhav Jadhav and Sagar Gade used to cause harassment to the victim when she

was passing through the road. That, on 7.10.2018 at about 5.00p.m. the said four accused persons committed criminal trespass in her house and assaulted her brother Lucky. At that time accused Samir Jadhav outraged her modesty. In the first information report, it is stated that alongwith the aforestated four persons there were seven to eight other persons accompanying them.

3. After perusing the entire record, it prima facie appears that no overt act as far as an offence under Section 354 of the Indian Penal Code is concerned, is attributed to the applicants. It further prima facie appears that, a general statement is made in the FIR that seven to eight other persons were accompanying with the aforestated persons. The applicants are the said persons who were accompanying the aforesaid four accused persons. The custodial interrogation of applicants for further investigation of the present crime is not necessary.

In view of the above, the applicants are entitled to be released on pre-arrest bail.

Hence, the following order.

a) In the event of arrest in CR No.155 of 2018 dated 8.10.2018

registered with Medha Police Station, District Satara, the applicants shall be released on bail on their furnishing PR bond of Rs.15,000/- each with one or two separate local sureties in the like amount.

b) The applicants shall attend the Investigating Officer as and when called for after receipt of the notice in writing from the Investigating Officer and to join the process of investigation till submission of the final report.

c) The applicants shall not tamper with the evidence and/or influence the prosecution witnesses.

Application is allowed in the aforesaid terms.

(A.S. GADKARI, J.)