

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

ANTICIPATORY BAIL APPLICATION NO. 1291 of 2018

Jayant Ashok Jadhav and ors.

...Applicants.

Vs.

The State of Maharashtra

...Respondent

Mr. S.P.Kadam I/by S.D.Chavan for the Applicant.

Mr. S.S.Hulke, APP. for the Respondent/State.

CORAM : A.S.GADKARI, J.

DATE : 30th November, 2018

PC :

1. The applicants are apprehending arrest in CR No. 146 of 2018 registered with Jat Police Station, District Sangli under Sections 307, 353, 224, 225, 332, 336, 943, 143, 147, 149, 504 and 506 of the Indian Penal Code and under Section 135 of the Bombay Police Act.

2. Heard the learned counsel for the applicants and the learned APP.
Perused the record.

The first information report is lodged by Shri. Mayur Vairagkar, Assistant Police Inspector attached to Vathar Police Station, District Satara .
It is the prosecution case that, on receipt of information by the Sub

Divisional Officer, Satara Rural that, wanted accused namely Dattatraya Jadhav in CR No.2/2018 was to visit at Pratappur, Taluka Jat, District Sangli for religious function. Accordingly the police personnel were deputed to arrest him. When the police personnel reached at the spot, they noticed that, in the said religious function more than 400 persons have gathered and it was difficult to arrest the said Dattarayaa Jadhav in the said function, an additional police force was called for and the said Dattatraya Jadhav was encircled by the police. It is alleged that, at that time co-accused Youraj Jadhav and Krishana Badekar assaulted two women police constables. That, the applicants along with other accused persons created rukus thereby causing obstruction to police to arrest Dattatraya Jadhav and to allow him to flee away from the scene of offence.

3. The record of investigation indicates that, the principal accused Dattatraya Jadhav along with co-accused Youraj Jadhav and Krishana Badekar have been arrested by the police. As stated earlier, the applicants were part of the mob who are instrumental in creating ruckus at the scene of offence thereby creating obstruction to arrest accused Dattatraya Jadhav. The allegations made against the applicants are general in nature.

4. In view o thereof, the custodial interrogation of the applicants for

further investigation of the present crime is not necessary and the applicants can be protected by pre-arrest bail.

Hence, the following order.

- a) In the event of arrest in CR No. 146 of 2018 registered with Jat Police Station, District Sangli, the applicants shall be released on bail on their furnishing PR bond of Rs.20,000/- each with one or more solvent local sureties in the like amount.
- b) The applicants shall attend the Investigating officer as and when called for between 10.00 a.m. to 1.00 p.m. and to join the process of investigation till the submission of final report.
- c) The applicants shall not tamper with the evidence and/or influence the prosecution witnesses.
- d) Application is allowed in the aforesaid terms.

(A.S.GADKARI, J.)