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

ANTICIPATORY BAIL APPLICATION NO. 358 OF 2019

Manjunath Swamy B. N.

.....Applicant

V/s.

The State of Maharashtra

.....Respondent

Mr. Suraj Dessai Almeida for the applicant
Smt. Rutuja Ambekar APP for the State

CORAM : NITIN W. SAMBRE, J.

DATE : FEBRUARY 25, 2019.

P.C.

In Crime No. 102/2018 registered with Khandala Police Station Dist. Satara for offence punishable under Sections 354, 354-A of the Indian Penal Code, applicant is seeking pre-arrest bail.

2 It is not in dispute that the applicant is a public servant against whom the allegations of outraging the modesty are made which is punishable with maximum imprisonment of five years.

3 Apart from the fact that the incident took place in the dark hours in a bus, the statement of the drivers are based on narration

made by the complainant. Instead of lodging F.I.R. immediately to the nearest police station, the complainant travelled to Shirdi wherein the Zero F.I.R. came to be registered and transferred for investigation to non applicant police station.

4 In the aforesaid background, custodial interrogation in my opinion is not warranted. Hence, following order:

(A) In the event of arrest of the applicant in Crime No. 102/2018 registered with Khandala Police Station Dist. Satara, applicant be released on bail on executing P.R. bond in the sum of Rs. 25,000/- with one surety in the like amount.

(B) Applicant to attend the Investigating Officer on 04/03/2019, 05/03/2019 and 06/03/2019 between 10.00 a.m. to 12.00 noon and thereafter as and when directed by Investigating Officer.

(C) Applicant shall not influence witnesses or tamper with evidence.

5 Application stands disposed of.

[NITIN W. SAMBRE, J.]