

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO.1525 OF 2019

Vilas Sakharam Chougale] ... Applicant

Versus

The State of Maharashtra] ... Respondent

Mr. Anand Patil, Advocate for the Applicant.

Ms. S.S. Kaushik, APP for the State/Respondent.

CORAM :- SARANG V. KOTWAL, J.
DATE :- 12th JULY, 2019.

P. C. :-

1. The applicant is seeking anticipatory bail in connection with C.R.No.52/2019 registered with Bhudargad Police Station, District Kolhapur u/sec. 353, 324, 323, 504 r/w 34 of I.P.C.
2. The FIR is lodged by Rahul Patil who was working as technician with Maharashtra State Electricity Distribution Company at Bhudargad. On 17/03/2019, the electricity connection was disconnected between Kudtarwadi to Thadyachiwadi. The first informant along with his co-workers was trying to repair the fault. At around 5.30 p.m., the present applicant and two others came there

with wooden sticks. They were blaming the first informant and others that they had deliberately disconnected the electricity supply and thereafter, they assaulted the first informant and others with wooden sticks. Thereafter, the FIR was lodged by the first informant.

3. Heard Mr. Anand Patil, Ld. Counsel for the Applicant and Ms.S.S. Kaushik, Ld. APP for the State/Respondent.

4. Even as per the case of the first informant and the prosecuting agency, the injuries are not serious because only Section 324 of I.P.C. is applied. Though there are allegations that the act committed by the present applicant makes out the offence of Section 353 of I.P.C., the applicant did not prevent the workers from repairing the fault. In fact, the applicant wanted immediate supply of electricity, therefore under some misunderstanding, the first informant was assaulted. Undoubtedly, the allegations show that the present applicant had over reacted and he should not have assaulted the first informant. However, the offence does not appear to be that serious to warrant the custodial interrogation of the present applicant. In any case, the custodial interrogation of the applicant will not reveal any other

evidence which is already available with the investigating agency. Therefore, the applicant can be granted relief of anticipatory bail. Though anticipatory bail is being granted to the applicant, he will have to co-operate with the investigating agency. Hence, the following order.

ORDER

1. In the event of his arrest in connection with C.R.No.52/2019 registered with Bhudargad Police Station, District Kolhapur, the Applicant be released on bail on his furnishing P.R. Bond in the sum of Rs.25,000/- (Rupees Twenty Five Thousand Only) with one or two sureties in the like amount.
2. The applicant shall attend the concerned police station from 22/07/2019 to 25/07/2019 between 3.00 p.m. to 5.00 p.m. and shall co-operate with the investigation.
3. Application stands disposed of accordingly.

(SARANG V. KOTWAL, J.)