

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO. 1954 OF 2019

Nitesh Prakash Jadhav & anr.	...Applicants
V/s.	
The State of Maharashtra	Respondents

Mr. Nitesh J. Mohite, Advocate for the applicant.

Mr. Ajay Patil, APP for the State.

CORAM : SANDEEP K. SHINDE, J.

Wednesday, 13th November, 2019.

P.C. :

1. Apprehending arrest in C.R. No. I-126 of 2019 registered with Kulgaon Police station, Thane Rural for the offences punishable under Sections 353, 332, 427, 504B, 506 read with Section 34 of the Indian Penal Code, the applicant has applied for pre-arrest bail.

2. That while granting the interim protection, the applicant was directed to file an Affidavit stating that he would not indulge into similar activities. The Affidavit is taken on record and marked X-1 for identification.

3. Complainant, is a public servant working with the Electricity Company. Disputes and difference arose since electric meter installed was removed by the complainant having found it was not in the name of the applicant. In the course of the dispute, there was an altercation and it is alleged that applicant inflicted fist and kick blows. The offence under Section 353 Indian Penal Code is triable by the Magistrate and the punishment is imprisonment for two years. So also, the offence under Section 332 is triable by Magistrate and the punishment is for three years. Other offences are bailable.

4. In view of the facts of the case and the affidavit guaranteeing good behaviour filed by the

applicant, pre-arrest bail is granted on the following conditions :

ORDER

(i) The applicant be enlarged on bail, on executing PR Bond in the sum of Rs. 15,000/- with one or two sureties in the like amount;

(ii) The applicant shall attend the concerned Police Station as and when called.

(iii) The applicant shall inform his latest place residence and mobile contact number immediately and/or change of residence or mobile details, if any, from time to time to the Investigating Officer of the Police Station concerned;

(iv) The applicant to cooperate with the conduct of the trial and attend all the dates before the trial Court, unless exempted;

(v) The applicant shall not tamper with the evidence or attempt to influence or contact the complainant, witnesses or any person concerned with the case.

5. The Application is disposed off in the aforesaid terms.

(SANDEEP K. SHINDE, J.)