

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR.

Criminal Application (ABA) No.232 of 2019
(Rakesh Arvind Pusadkar .vs. State of Maharashtra through PSO PS
Ramtek, Dist. Nagpur.)

Office Notes, Office Memoranda of Coram,
appearances, Court's orders or directions
and Registrar's orders

Court's or Judge's orders.

Mr. T.U. Tathod, Advocate for Applicant.
Mr. A.D. Sonak, APP for Non-applicant/State.

CORAM : Manish Pitale, J.
DATED : June 24, 2019.

The applicant herein is seeking anticipatory bail in respect of offences registered against him under Sections 354-D, 500, 504, 506 and 509 of the I.P.C. and Section 67 of the Information Technology Act, 2000 as per FIR dated 26.12.2018. The allegation against the applicant is that he had circulated on social media obscene photograph of his sister-in-law.

2. While issuing notice, this Court granted ad-interim anticipatory bail to the applicant in the following manner:-

"In the event of arrest of the applicant in Crime No. 763/2018 registered by Police Station, Ramtek, Tahsil Ramtek, District Nagpur, he be released on bail on furnishing PR bond in the sum of Rs.25,000/- with one solvent surety in like amount on following conditions:-

(a) The applicant shall attend Police Station, Ramtek, Tahsil Ramtek, District Nagpur once in a week i.e. on every Sunday in between 10.00 a.m. to 5.00

p.m. and shall cooperate the investigating agency.

(b) The applicant shall handover his mobile to the Investigating Officer."

3. It is pointed out by the learned counsel for the applicant that he is a Sainik in the Army and that presently he is posted at Khadki Cantonment Board, Pune. It is further pointed out that the applicant has already handed over his mobile to the investigating officer as directed by this Court, by order dated 18.04.2019, and that since the applicant was granted leave, he did attend the aforesaid Police Station and his statement was also recorded by the investigating officer.

4. It is pointed out that since the applicant is a Sainik in the Army, there is no question of his fleeing from the process of law and that the applicant undertakes to continue to cooperate with the investigation.

5. The learned APP has not disputed the statement made on behalf of the applicant that he has indeed attended the Police Station and that he has handed over his mobile to the investigating officer.

6. In view of the above, present application is allowed and the applicant is granted anticipatory bail on the conditions recorded in order dated 18.04.2019 with the modification that instead of attending the Police Station Ramtek, district Nagpur, every Sunday, the applicant shall make himself available to the

investigating officer as and when required. The investigating officer shall give written notice to the applicant in case his presence is required for further investigation.

7. The application is allowed in the above terms.

JUDGE

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