

IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
NAGPUR BENCH, NAGPUR

CRIMINAL APPLICATION (ABA) NO.382/2019

Chhagan Vishwanath Muneshwar

..VS..

State of Mah., thr. PSO Rajapeth, Amravati, Taluka and District Amravati

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

Court's or Judge's Order

.....
Shri S.B.Gandhe, Counsel for the Applicant.

Shri J.Y.Ghurde, Addl.P.P. for the State.

CORAM : V.M.DESHPANDE, J.

DATED : AUGUST 22, 2019.

1. By the present application, the applicant is seeking pre-arrest bail since he is apprehending his arrest in connection with Crime No.258/2019 registered with Rajapeth Police Station, District Amravati for offences under Sections 294 and 353 of the Indian Penal Code.

2. Heard learned counsel Shri S.B.Gandhe for the applicant and learned Additional Public Prosecutor Shri J.Y.Ghurde for the State. Also, perused reply filed on behalf of the State.

3. On 24.4.2019, Pankaj Ashokrao Tatte, Health Inspector at Amravati Municipal Corporation, lodged report against co-accused Dharamdas Nandagawali who is beneficiary of Pradhan Mantri Shouchalaya Scheme. According to the complaint, said Dharamdas used to call the complainant continuously on his cellphone and used to ask about bill payment. According to the prosecution case, on

24.4.2019 said Dharamdas along with the applicant entered into office of the complainant in respect of payment of amount and abused him and assaulted by kick and fists blows.

4. The First Information Report shows that name of the applicant is not appearing in the First Information Report. Further, as per the FIR's allegations, co-accused used to call continuously on the cellphone of the complainant. The co-accused was already arrested and it is reported that he is released on bail.

5. On 20.6.2019, the applicant was granted *interim* protection upon conditions that he shall cooperate with investigation and report police station once in a week.

6. It is submission of learned counsel Shri S.B.Gandhe for the applicant, that the applicant has scrupulously followed the conditions imposed upon him. The said aspect is not denied by learned Additional Public Prosecutor Shri J.Y.Ghurde for the State.

7. Looking to the nature of accusations, I am of the view that custodial presence of the applicant is not at all necessary. Consequently, I pass following order:

ORDER

(i) The criminal application is allowed.

(ii) Applicant-Chhagan Vishwanath Muneshwar, in the event of his arrest in connection with Crime No.258/2019 registered with Rajapeth Police Station, District Amravati for offences under Sections 294 and 353 of the Indian Penal

Code, he be released on bail on he executing a P.R.Bond in the sum of Rs.25000/- with one solvent surety of the like amount.

(iii) The applicant shall attend the police station once in a month i.e. on last Sunday of every month between 10.00 a.m. and 5:00 p.m., till next 2 months.

(iv) With this, the present criminal application stands disposed of accordingly.

JUDGE

!! BRW !!

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