

**IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD**

ANTICIPATORY BAIL APPLICATION NO. 887 OF 2020

Hanuman @ Hanumant s/o Navnath Walekar ... Applicant

Versus

The State of Maharashtra ... Respondent

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Mr. B. N. Gadegaonkar, Advocate for the applicant

Mr. S. P. Tiwari, APP for respondent - State

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**CORAM : R. G. AVACHAT, J.
(Vacation Court)**

DATED : 10th NOVEMBER, 2020

PER COURT :

. This is an application for bail under Section 438 of the Code of Criminal Procedure. The applicant claims to have an apprehension of being arrested in connection with Crime No.388/2020, registered at Gondi Police Station, Taluka Ambad, District Jalna, for the offences punishable under Sections 452, 354-A, 323, 504, 506 of Indian Penal Code.

2. Heard. Perused the First Information Report (FIR).

The FIR has been lodged on 13.09.2020 itself, alleging that on 13.09.2020, by 7.30 p.m., the informant was alone at him.

Her husband had been out of the village. The informant was not keeping well. She was, therefore, asleep. The applicant entered her house. He was drunk. The applicant became physical with the informant. He made her lie on the floor. He fondled her breast and abused also. The informant raised alarm. Her brother-in-law came. He removed the applicant out of the house. Then, the FIR was lodged.

3. Learned APP would submit that the offence is serious one. It has been committed against a woman. He, therefore, urged for rejection of the application.

4. Except the offence punishable under Section 452 of Indian Penal Code, rest of the offences allegedly committed by the applicant, are bailable one. It appears that all is not well between family of the informant and that of the applicant. The applicant's wife has also lodged FIR against husband of the informant, alleging him to have outrage of her modesty. There are similar complaints in the past as well.

5. Be that as it may, considering the nature of allegations made in the FIR, custodial interrogation of the applicant is not

required. I am, therefore, inclined to grant him anticipatory bail.

Hence, following order :

ORDER

- (i) The application is allowed.
- (ii) In the event of arrest in connection with Crime No.388/2020, registered at Gondi Police Station, Taluka Ambad, District Jalna, for the offences punishable under Sections 452, 354-A, 323, 504, 506 of Indian Penal Code, the applicant be released on executing P. R. bond in the sum of Rs.15,000/- (Rupees Fifteen Thousand Only) with surety in the like amount.
- (iii) The applicant shall appear before the investigating officer as and when required.
- (iv) The applicant shall not tamper with the prosecution evidence.

[R. G. AVACHAT, J.]

SMS