

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

BAIL APPLICATION NO. 298 OF 2020

Mr. Vijay Kumar Budhiram YadavApplicant

v/s.

The State of MaharashtraRespondent

Ms. Shilpa Madki, Advocate for the applicant.

Smt. Sharmila Kaushik, APP for the State.

PSI, Yashwant B. Kadam, Wadala Police Station
present.***CORAM : SANDEEP K. SHINDE, J.******Friday, 21 February, 2020.*****P.C. :**

1. Heard.
2. The applicant seeks enlargement on bail in Crime No. 300/2019 registered with Wadala Police Station for the offences punishable under Sections 353, 354A of the Indian Penal Code.
3. The offence under Section 354A is cognizable and bailable; whereas Section 354 is

punishable with imprisonment of either description for a term which may not be less than one year but which may extend to five years.

4. It is prosecution's case that, the complainant who is a Veterinary Officer, was allegedly abused by the applicant when she was discharging her official duty by taking away the cattle allegedly abandoned by him. The applicant is in jail since 31st December, 2019. Though the investigation is in progress, upon perusing the complaint, in my view, further custody of the applicant is not required and even otherwise prosecution could not justify it, except that in past, the applicant was fined by the Municipal Corporation for abandoning cattle.

5. Considering the nature of accusations, the applicant arrested in C.R. No. 300/2019 registered with Wadala Police Station, is directed to be released on bail on furnishing P.R. Bond of Rs.10,000/- (Rs. Ten Thousand only) with one or two sureties in the like sum.

6. The applicant shall attend the concerned

Police Station as and when called.

7. The applicant shall furnish the particulars of his place of residence and contact details to the Investigating Officer of the Police Station concerned within seven days from today.

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

9. It is made clear that observations made hereinabove shall be construed as expression of opinion only for the purpose of granting bail and the same shall not in any way influence the trial in other proceedings.

10. The Bail Application stands disposed off.

(SANDEEP K. SHINDE, J.)