

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

ANTICIPATORY BAIL APPLICATION NO.353 OF 2020

Yashoda Govind Rathod	.. Applicant
<i>Vs.</i>	
State of Maharashtra	.. Respondent

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Mr.Jaydeep D. Mane, Advocate for the Applicant.

Mrs.Veera Shinde, APP for the Respondent – State.

Mr.Raju S. Ingale, PC Solapur Taluka Police Station, Solapur Rural, present.

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CORAM : PRAKASH D. NAIK, J.

DATED : FEBRUARY 11, 2020.

P.C. :

This is an application for anticipatory bail in connection with C.R.No.206 of 2019, registered with Solapur Taluka Police Station, Solapur Rural, for the offences punishable under Sections 143, 144, 145, 146, 147, 148, 149, 332 and 353 of Indian Penal Code ("IPC", for short) and Sections 31(1), 53, 82 of Maharashtra Forester Department 14 Rule, Maharashtra Forest Manual 204 Volume 2 Rule 88(1) and Maharashtra Prohibition Act.

2 In short the prosecution case is that on 28th March, 2019, police conducted raid in the forest area where illicit liquor was being manufactured. The raiding party noticed that the accused was manufacturing illicit liquor with the help of chemicals at Mulegaon Tanda. Accused were also found cutting wood with the help of cutting machine. On inquiry it was disclosed that the machines belongs to him. He disclosed his name as Sanjay Gosavi. On inquiry, another person Dyaneshwar Somlu Jadhav disclosed that the articles lying at the place belongs to him. Accused were not in possession/permit or permission to cut woods. The articles were seized by the raiding party. However, at that time, about 10 to 12 females and 5 to 6 male persons obstructed the members of raiding party, at the instigation of the co-accused. The situation was tense and the raiding party were required to fire in the air. It is alleged that applicant was one of the person who obstructed the public servants in discharging their duty.

3 Learned counsel for the applicant submits that the applicant is a lady. The co-accused Sanjay Gosavi, who claims the ownership of the machine was granted anticipatory bail. The other accused Dyaneshwar Jadhav was arrested.

4 Learned APP submitted that the applicant was acting in connivance with the main accused. She had obstructed the public servants in discharging their duties. Offences were registered under Section 353 as well as Section 332 of IPC. The raiding party was required to fire in the air to control the situation.

6 On perusal of the FIR and the other documents, it is apparent that the applicant was amongst the 10 to 12 ladies who had allegedly obstructed the public servants in taking away the articles seized by them. The role of manhandling is attributed to male persons. Learned counsel for the applicant also pointed out that the applicant is a permanent resident of Mulegaon Tanda. He produced Voter Card and the photo copy of the Ration Card bearing her name to establish that she is permanent resident of said area. Applicant is a lady. Considering the factual aspects of the matter, protection can be granted to her on certain terms and conditions.

7 Hence, I pass the following order:

:: ORDER ::

- (i) Anticipatory Bail Application No.353 of 2020, is allowed;

- (ii) In the event of arrest of Applicant in connection with C.R.No.206 of 2019, registered with Solapur Taluka Police Station, Solapur Rural, she be released on bail on her executing P.R. Bond in the sum of Rs.25,000/-, with one or more sureties in the like amount;
- (iii) Applicant shall report the investigating officer on 20th and 21st February, 2020, between 11:00 a.m. to 01:00 p.m., and, thereafter, as and when called for, till the filing of the charge-sheet;
- (iv) Applicant shall not commit similar offence;
- (v) Anticipatory Bail Application stands disposed of.

(PRAKASH D. NAIK, J.)