

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

CRIMINAL ANTICIPATORY BAIL APPLICATION NO. 433 OF 2020

Nilesh Lahu Gaikwad

...Applicant

Versus

The State of Maharashtra

...Respondent

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Ms. Sandhya Mailagir i/b Mr. Anil D. Joshi, Advocate for the Applicant.

Mr. M. G. Patil, APP for the Respondent – State.

Mr. A. B. Shinde, API, Panvel City Police Station, Present.

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CORAM : PRAKASH D. NAIK, J.

DATE : 5th MARCH, 2020

PC :

1. The Applicant is apprehending arrest in connection with C.R. No. I-35 of 2020 registered with Panvel City Police Station, Dist. Raigad for offences punishable under Section 353, 352, 450, 504 & 506 r/w Section 34 of Indian Penal Code.

2. The FIR was lodged on 28th January, 2020. It is alleged that the consumer Ravindra Raju Bhoir had not paid electricity charges and hence his electricity connection was disconnected about 5 to 6 months ago. Information was received that he had taken illegal connection and using electricity. The complainant and others visited the place. It was noticed that Ravindra Bhoir had taken illegal electricity connection in his house from applicant on questioning the

applicant, he abused and manhandled the complainant and others. It is also alleged that the co-accused had also abused and threatened complainant and his associates. Both of them preferred application for anticipatory bail before the Sessions Court. The application of the co-accused was allowed, however, the relief was denied to the applicant on the ground that there are antecedents against him.

3. Learned counsel for the applicant submitted that three cases were registered against the applicant in the past, out of that two cases had resulted in acquittal. One case under Section 324 of Indian Penal Code is pending.

4. Learned APP submitted that one case is still pending against the applicant for offence under Section 324 of Indian Penal Code. Learned counsel for the applicant submits that the applicant would not commit similar offence in future. Considering the facts of this case, the applicant need not be subjected to custodial interrogation. Interim protection granted to the applicant can be confirmed.

5. Hence, I pass the following order :

ORDER

- i) Anticipatory Bail Application No. 433 of 2020 is allowed.

- ii) Interim order dated 21st February, 2020 is confirmed.
- iii) In the event of arrest of applicant in C.R. No. I-35 of 2020 registered with Panvel City Police Station, Dist. Raigad, the applicant be released on bail on furnishing P. R. Bond in the sum of Rs. 25000/- with one or more sureties in the like amount;
- iv) The applicant shall attend Investigating Officer as and when called for till filing of charge-sheet.
- v) Application stands disposed of accordingly.

(PRAKASH D. NAIK, J.)