

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

1. BAIL APPLICATION NO. 730 OF 2020

Cajetan Jerom D'Souza

...Applicant

Vs.

The State of Maharashtra

...Respondent

Ms. Tripti R. Shetty for Applicant

Smt. Rutuja Ambekar, APP for State/Respondent

CORAM : PRAKASH D. NAIK, J.

DATE : 09th MARCH, 2020

PC:-

1. This is an application for bail in C.R. 115/2020 registered with D.N. Nagar Police Station for the offences punishable under Section 353, 504, 506 r/w. 34 of the Indian Penal Code. The First Information Report lodged on 22nd February, 2020 by the Police Sub-Inspector attached to D.N. Nagar Police Station.

2. The prosecution case is that the complainant and the other police personnel were on duty on 21st February, 2020. At that time, it was noticed that one person was riding motorcycle in a full speed. He was asked to stop. He did not stop. He was apprehended by the

police. They asked for license of the rider. He gave his name as Sujit Hange. He started quarreling with the policemen. He also threatened them. At that time, the Applicant got down from the vehicle. He joined the co-accused. Both abused the police personnel, threatened and assaulted the police. The Applicant and the co-accused were arrested on 22nd February, 2020.

3. The Learned Advocate for the Applicant submits that the Applicant is an educated person. He has no criminal background. There was no intention to obstruct the policemen while discharging duties. He submits that the Applicant is in the judicial custody since 22nd February, 2020 and if he is released on bail, he would not indulge in similar act in future. The learned counsel further submits that the daughter of the Applicant has been appearing for the S.S.C. Examination and examination has already began. The Applicant is required to help his daughter in her study.

4. Learned APP submits that the Applicant had unnecessarily intervened while co-accused was apprehended by the police. The Applicant and the co-accused had abused the policemen and also assaulted them.

5. The Applicant is in custody from 22nd February, 2020. There are no criminal antecedents against him. Considering fact of this case, further custody is not necessary. Hence, following order:

ORDER

- (i) Bail Application No. 730 of 2020 is allowed.
- (ii) The Applicant be released on bail in connection with C.R. No. 115 of 2020 registered with D.N. Nagar Police Station, on furnishing P.R. Bond in a sum of Rs. 25,000/- with one or more sureties in the like amount.
- (iii) The Applicant shall attend the concerned police station once in a month on every first Saturday of the month between 11.00 a.m. to 1.00 p.m. till further orders.
- (iv) The Applicant is permitted to furnish cash surety in lieu of surety in sum of Rs.25,000/- for a period of four weeks.
- (v) Bail application is disposed of in the aforesaid terms.

(PRAKASH D. NAIK, J.)