

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

913 ANTICIPATORY BAIL APPLICATION NO.690 OF 2021

Babasaheb s/o Dada Gavhane,
Age; 51 years, Occ; Agril,
R/o; Mhasale, Tq. Newasa,
District; Ahmednagar.

...Applicant

Versus

The State of Maharashtra,
Through Newasa Police Station,
Tq. Newasa, District; Ahmednagar.

...Respondent

...
Advocate for Applicant : Mr.Gangakhedkar Shailendra S.
APP for Respondent-State : Mr.A.V.Deshmukh
...

CORAM : SANDEEP K. SHINDE , J.

Date :- 08th July, 2021.

P. C. :

1. Heard Mr. Gangakhedkar, learned counsel for applicant and learned APP for the State.
2. Apprehending the arrest in connection with the Crime No. 341/2021 registered with Newasa Police Station, District Ahmednagar, for the offences punishable under Sections 353, 332, 427, 504, 506 and 507 of the Indian Penal Code, 1860 ('IPC' for short), applicant seeks pre arrest bail.
3. Complainant herein, is officer of the Irrigation Department. On 22nd May, 2021, when he was supervising management and

distribution of canal water along with other Government Officers, applicant questioned him as to why the water supply to his field was stopped. Whereafter quarrel ensued; in the course of which the complainant alleged, applicant assaulted him by kicks and blows and further when another officer was recording the incident, in her Mobile, it was snatched by the applicant. Incident was reported to police, whereupon the subject crime came to be registered. The complainant was referred to the Rural Hospital, Newasa, District Ahmednagar. Injury certificate shows 'blunt injury in abdomen'. It was simple injury.

4. Prima-facie, there is material on record to suggest the complicity of the applicant, to say he deterred Public Servant from discharging of his duty. This Section was amended by Maharashtra State Act of 40 of 2018, whereby the punishment of two years is substituted by five years. Be that as it may, applicant is the agriculturist and has no antecedents.

5. In consideration of the allegations, in my view, custodial interrogation of the applicant shall not further the prosecution case. Instead, in the circumstances, ends of justice would meet if applicant is directed to pay Rs. 10,000/- (Rs. Ten Thousand) to the Government Medical College and Hospital, Aurangabad (GHATI), within two weeks from today.

6. For the reasons stated, in the event of arrest of the applicant

in Crime No. 341/2021 registered with Newasa Police Station, District Ahmednagar, i) he shall be released on bail on executing P.R. bond in the sum of Rs. 10,000/- (Rupees Ten Thousand) with one or two sureties in the like amount.

7. Application is allowed and disposed of.

8. List the application for verification of compliance after three weeks.

(SANDEEP K. SHINDE)
JUDGE

mahajansb/