

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

ANTICIPATORY BAIL APPLICATION NO. 911 OF 2021

Mayur s/o Rajendra Jadhav,
Age : 30 years, Occu. Business,
R/o. Jagdishnagar, Behind Ganpati Mandir,
Tq. & Dist. Dhule.

...Applicant

Versus

The State of Maharashtra

...Respondent

.....
Mr. Chaitanya C. Deshpande, Advocate for the applicant
Mr. S. B. Narwade, APP for respondent / State
.....

CORAM : V. G. BISHT, J.
DATE : 01st September, 2021

PER COURT : -

1. This is an application under Section 438 of the Code of Criminal Procedure, 1973 preferred by the applicant seeking grant of pre-arrest bail in connection with Crime No. 265 of 2021, registered with Dhule Taluka Police Station, District Dhule, for the offences punishable under Sections 353, 332, 427, 506 of the Indian Penal Code.

2. It is the case of prosecution that as one Kalpana Rajendra Jadhav had not paid outstanding electricity bill in the sum of

Rs.18,915/-, her electricity connection was disconnected. It is alleged that on 16.07.2021, when the informant was discharging his duties, the applicant having grudge in the mind about disconnection of electricity connection, entered into his office and beat him by means of fist blows. The applicant also tore the shirt of the informant and thereby created obstruction in discharge of official duties of the informant. Accordingly the FIR came to be filed.

3. Mr. Chaitanya Deshpande, learned Counsel for the applicant, submits that the alleged offences are triable by the court of Magistrate. The applicant has no criminal antecedents and he being a permanent resident of Dhule, will not flee from the justice. Hence, this application deserves to be allowed, urged learned Counsel.

4. Mr. S. B. Narwade, learned APP, on the other hand, opposed the submissions by contending that the applicant used criminal force against the informant and deterred him from discharging his official duty.

5. Having regard to the nature of allegations and the fact that nothing is required to be recovered from the applicant, the present case

does not warrant custodial interrogation of the applicant. Moreover, there is no material on record to suggest that the present applicant has criminal antecedents and that he would flee from the justice if admitted on pre-arrest bail.

6. For the aforesaid reasons, I am inclined to allow the application. Hence, following order.

ORDER

- i] The application is allowed.
- ii] In the event of arrest of the applicant in connection with Crime No. 265 of 2021, registered with Dhule Taluka Police Station, District Dhule, for the offences punishable under Sections 353, 332, 427, 506 of the Indian Penal Code, the applicant is directed to be enlarged on bail on his furnishing P.R. Bond of Rs.20,000/- [Rs. Twenty thousand only] with one or two solvent sureties in the like amount.

[V. G. BISHT]
JUDGE