

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

ANTICIPATORY BAIL APPLICATION NO. 1214 OF 2020

- 1) Angad s/o Raosaheb Katkar,
Age 60 years, Occ. Agriculture.
- 2) Ashabai w/o Angad Katkar,
Age 55 years, Occ. Household.

Both r/o. Katkar Wasti, Khapar
Pangari, Tq. & District Beed.

... Applicants.

VERSUS.

The State of Maharashtra,
Through Poice Station Officer,
Police Station Beed (Rural),
District Beed

... Respondent.

...

Advocate for the Applicants : Mr. S.G. Chapalgaonkar.
APP for the Respondent/State : Mr. V.M. Kagne.

CORAM : **MANGESH S. PATIL, J.**
DATE : **13.01.2021.**

PER COURT :

This is an application under Section 438 of the Code of Criminal Procedure as the applicants apprehending their arrest in connection with Crime No. 340/2020 registered with Beed (Rural) Police Station, for the offences punishable under Sections 143, 147, 149, 332, 353, 504, 506 read with Section 34 of the Indian Penal Code.

2. Learned advocate Mr. Chapalgaonkar for the applicants, on instructions, seeks leave to withdraw the application to the extent of applicant No.1 when this Court expressed its disinclination to grant anticipatory bail. Leave is granted.

3. It is alleged that the informant is a Senior Technician working in the Maharashtra State Electricity Distribution Company Ltd. He alleges that on 28.10.2020 at about 8.20 a.m. when he was taking a round he saw that some

persons were tapping electricity illegally with the help of hooks. He along with his staff removed these illegal connections. Soon all the accused accosted them and started questioning him as to why he had removed their electricity connections. In the process he was assaulted. Wires were snatched from him and he lodged the report. He was referred for the medical examination. The offence was registered and the applicant No. 2 is apprehending her arrest.

3. As can be seen, the role attributed to the applicant No. 2 namely Ashabai is that she was accompanying the rest of the accused and had snatched the wire from the hand of the informant.

4. Considering the fact that she is a lady and no overt act is attributed to her except snatching of the wire, she can be released on bail subject to usual conditions.

5. The Application is partly allowed. In the event of arrest of the applicant No. 2 Ashabai w/o Angad Katkar in connection with Crime No. 340/2020 registered with Beed (Rural) Police Station, for the offences punishable under Sections 143, 147, 149, 332, 353, 504, 506 read with Section 34 of the Indian Penal Code she shall be released on bail on her executing personal recognizance for an amount of Rs. 10,000/- (Rs. Ten Thousand only) and furnishing a solvent surety in the like amount, subject to following conditions :

(a) She shall attend the concerned police station as and when called and shall cooperate the Investigating Officer.

(b) She shall not tamper the evidence or influence the witnesses.

6. The Application to the extent of applicant No. 1 Angad s/o Raosaheb Katkar is disposed of as withdrawn.

(MANGESH S. PATIL, J.)

mkd/-