

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

ANTICIPATORY BAIL APPLICATION NO. 1460 OF 2021

Tushar s/o Ankush Tambe ... **Applicant**
Age 25 years, Occu: Agri.
R/o Dhawalgaon Tq. Shrigonda
District Ahmednagar.

VERSUS

The State of Maharashtra, ... **Respondent**
Through the Police Station Officer,
Belwandi Police Station,
Tq. Shrigonda, Dist. Ahmednagar.

Mr. Rahul R. Karpe, Advocate for the applicant,
Mr. A. V. Deshmukh, A.P.P. for the State.

CORAM : PRAKASH D. NAIK, J.
DATE : 21st December, 2021

ORDER:

1. Applicant is apprehending arrest in Crime No.0410 of 2021 registered with Belwandi Police Station Tq. Shrigonda Dist.Ahmednagar for the offences under Sections 354, 427, 323, 504 and 506 read with 34 of Indian Penal Code (for short, 'IPC').

2. The complainant has alleged that the accused had a quarrel with her husband. On 7th October, 2021, the accused visited the house of complainant and inquired about her husband. The applicant had pulled her saree and blouse. She also lost her Mangalsutra in the incident.

3. The contention of applicant is that false FIR is lodged on account of quarrel with complainant's husband. Applicant was granted interim protection by Sessions Court during the pending of the application, before the said Court. Applicant is working in Army.

4. Learned APP submits that statement of the complainant was recorded under section 164 of the Criminal Procedure Code. Medical certificate issued by the Primary Health Centre shows that there was blunt trauma and no other visual injury. The applicant is working in Army. Medical case papers and the version of the complainant appears to be contradictory. The medical document shows that history provided by complainant is of assault.

5. In the light of the factual aspects of the matter, the applicant need not be subjected to custodial interrogation. Hence, I pass the following order :-

ORDER

- i. Anticipatory Bail Application No. 1460 of 2021 is allowed;
- ii. In the event of arrest of applicant in connection with Crime No.0410 of 2021 registered with Belwandi Police Station Tq. Shrigonda Dist.Ahmednagar, the applicant be released on bail on executing P.R.Bond in the sum of Rs.20,000/-, with one or two sureties in the like amount;

- iii. The applicant shall attend the investigating officer on 27th and 28th December, 2021 between 11.00 a.m. to 1.00 noon and thereafter as and when called for till filing of the charge sheet.
- iv. Anticipatory Bail Application stands disposed of accordingly.

(PRAKASH D. NAIK, J.)

JPC