

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO.1932 OF 2021

Sandip Dhondiram Bangar	.. Applicant
Versus	
The State of Maharashtra & Anr	.. Respondents

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Mr.Bharat Gadhavi i/b Tejesh Dande and Aniket Aghade for the applicant.

Mr.S.S. Pednekar, APP for the State.

CORAM: BHARATI DANGRE, J.

DATED : 17th AUGUST, 2021

P.C:-

1 The applicant who is a resident of Panchayat Samiti, Tasgaon has preferred several complaints in respect of unauthorized construction in Mauje Julewadi through various authorities including the Sarpanch of Gram Panchayat, Julewadi. He alleged that inspite of resolutions being passed in a Gram Sabha, regarding the removal of encroachments, there is no implementation. Various complaints addressed to the Sarpanch of the Gram Panchayat as well as the Sub-Divisional Officer of Miraj form part of the application.

2 In the backdrop of the said complaints, it is the submission of the learned counsel that he has been arraigned as

an accused in C.R.No.385/2021 registered with Tasgaon police station, thereby invoking Section 323, 353, 504, 506 of the IPC.

3 The complainant is Gram Sevak of Julewadi village who allege that on 22nd July 2021, when he along with Sarpanch Nitin Awale were present in front of the house of Sou. Rupali G. Jadhav who had made complaint about water logging and when steps were taken to rectify the said nuisance, the applicant arrived at the spot along with one Anil Shankar Patil, they raised certain grievance with the Sarpanch about removal of a pipe line which was responded by the Sarpanch by telling him that the pipeline will not be permitted to be removed. It is alleged that being irked by the said negation, the applicant rushed towards the complainant and hit him by fists and blows. When the Sarpanch attempted to intervene, it is alleged that he was also pushed away by the present applicant.

4 The submission of the learned counsel is to the effect that the said C.R is nothing but a counter attack of the serious objections taken from time to time about the illegal encroachments and constructions in the vicinity of the Gram Panchayat.

5 In this backdrop of facts, perusal of the complaint in which the applicant is arraigned as an accused do not warrant any custodial interrogation. The applicant as a responsible resident of

the said village must render all his co-operation in the investigation which he desires. Hence, the following order :-

ORDER

- (a) In the event of his arrest, the Applicant – Sandip Bangar in connection with C.R.No.385 of 2021 registred with Tasgaon Police Station, shall be released on bail on furnishing P.R. bond to the extent of Rs.20,000/- with one or two sureties of the like amount.
- (b) The applicant shall not directly or indirectly make any inducement, threat or promise to any person acquainted with facts of case so as to dissuade him from disclosing the facts to Court or any Police Officer and should not tamper with evidence.
- (c) The Applicant shall report to the concerned Investigating Officer every Monday from 10.00 am to 1.00 pm for a period of two weeks and thereafter as and when called by the Investigating Officer.

The Application is allowed in the aforestated terms.

SMT. BHARATI DANGRE, J