

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

CRIMINAL BAIL APPLICATION NO. 1016 OF 2021

Dev Devesh Bhatt ... Applicant

Versus

The State of Maharashtra ... Respondent

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Ms. Suvarna A. Vast, Advocate for the Applicant.

Ms. M. R. Tidke, APP for the Respondent – State.

Mr. Vijay Kadam, P. S. I. Kurar Police Station, Present.

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CORAM : PRAKASH D. NAIK, J.

DATE : 5th MARCH, 2021

PER COURT:

1. The applicant is arrested on 20th February, 2021 in connection with C.R. No.92 of 2021 registered with Kurar Police Station for offence under Sections 353, 332 of Indian Penal Code.

2. The First Information Report was lodged on 20th February, 2021. The complainant was discharging his duty as Traffic Constable. On account of collusion between auto rickshaw driver and the car driven by the applicant, the complainant had questioned them. They were told to visit Police Station. At that time the applicant had allegedly assaulted the complainant by fist blows.

3. Learned advocate for the applicant submitted that the applicant is in custody from the date of arrest. Further custody is not

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necessary. The applicant is student of Diploma in Computer Engineering. His Exams have commenced. The next paper is on 8th March, 2021. The applicant is not having any criminal antecedents.

4. Learned APP submitted that the applicant had assaulted the complainant and he had sustained simple injury. It is submitted on instructions from officer present in the Court that the fact that the applicant is appearing for examinations has been verified and found to be true.

5. The applicant was arrested on 20th February, 2021. On perusal of the case diary and other documents, the learned Magistrate remanded him to judicial custody. Since then the applicant is in judicial custody. He was not remanded to police custody. Further detention is not required for investigation. Considering the factual aspects as stated above, bail can be granted to the applicant. Hence, I pass the following order:

ORDER

- (i) Criminal Bail Application No. 1016 of 2021 is allowed;
- (ii) The applicant is directed to be released on bail in connection with C.R. No.92 of 2021 registered with Kurar Police Station on executing PR. Bond in the sum of Rs.20,000/- with one or more sureties in the like amount;
- (iii) The applicant shall not tamper with the evidence.

- (iv) The applicant is permitted to furnish provisional cash bail security in the sum of Rs.20,000/- for a period of eight weeks in lieu of surety.
- (v) Bail Application stands disposed of accordingly.
- (vi) Parties to act upon authenticated copy of this order.

(PRAKASH D. NAIK, J.)