

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

ANTICIPATORY BAIL APPLICATION NO. 633 OF 2021

Digambar Laxman Gowari ... Applicant

Versus

The State of Maharashtra ... Respondent

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Mr. Viral K. Rathod, for the Applicant.

Mrs. Anamika Malhotra, APP for the Respondent – State.

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CORAM : PRAKASH D. NAIK, J.

DATE : 11th MARCH, 2021

PC :

. This is an application for anticipatory bail in connection with C.R.No.9/2013 registered with Arnala Sagari Police Station, Palghar for offence under Sections 353, 332, 143, 147, 427, 504, 506 and 34 of Indian Penal Code.

2. The case of the prosecution is that on 27th March 2013, the villagers of Kalamb caught two persons who were assaulting villagers Nilesh Nijai and handed over them to police officials of Kalamb Costal Check Post Chowki. While the Police were conducting inquiry, the accused along with 100 to 150 villagers found in unlawful assembly and demanded custody of those two persons. They tried to

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barged into the police Station and cause damaged.

3. The F.I.R. was registered on 27th March 2013. The contention of the applicant is despite the fact that he was available, there were no attempts in the past to arrest him. The incident is of 2013.

4. The applicant was granted interim protection by order dated 9th March 2021. Learned APP submitted that some of the accused were arrested and chargesheet was filed against them. The applicant is shown absconding.

5. The co-accused Rahul Bohari had applied for anticipatory bail and he was granted anticipatory bail by Order dated on 22nd November 2019.

6. Considering the factual aspects, the applicant need not be subjected to custodial interrogation.

7. Hence, the following order.

ORDER

- (i) Anticipatory Bail Application No.63 of 2021 is allowed;
- (ii) In the event of arrest of the applicant in connection with C.R.No.9/2013 registered with Arnala Sagari Police Station, Palghar, the

applicant be released on bail on executing PR.
bond in the sum of Rs.25,000/- with one or more
sureties in the like amount;

- (iii) The applicant shall appear before the
investigating officer as and when called for;
- (iv) Anticipatory Bail Application stands disposed of
accordingly.

(PRAKASH D. NAIK, J.)