

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

ANTICIPATORY BAIL APPLICATION NO. 867 OF 2021

Mr. Priyesh Jayant Shah Applicant

Versus

The State of Maharashtra and Anr. Respondents

Mr. Ujjwal Gandhi a/w Gunjan Thakkar i/b ASBA Khatib for the applicant.

Mr. S.H. Yadav, APP for the State/Respondent.

**CORAM: SARANG V. KOTWAL, J.
DATE : 8th APRIL, 2021**

P.C. :

1. The Applicant is seeking anticipatory bail in connection with C.R.No. 124 of 2020 registered at Navghar Police Station, Thane, on 17/4/2020 under sections 353, 352, 504, 506, 188, 269, 270, 290 of the Indian Penal Code, under section 11 of Maharashtra Covid-19 Act, 2020, under section 2, 3, 4 of the Epidemic Disease Act and under section 112 and 117 of the Maharashtra Police Act.

2. Heard Mr. Ujjwal Gandhi, earned counsel for the applicant and Mr. S.H. Yadav, learned APP for the State.

3. The FIR is lodged by Dr. Sanjeev Kumar. He has stated that on 17/4/2020, he was on his duty. He was given duty to provide facilities in surrounding area. He was supposed to give sanitizers, spray, medicines, insecticides etc. On that day the applicant approached him and asked for pump of spray of medicine. The informant expressed his inability as there was procedure for getting the pump. He directed the applicant to approach his senior. Instead of approaching the informant's senior, the applicant started arguing with the informant. There are allegations that he abused the informant and went aggressively on his person. On this basis the FIR is lodged.

4. Learned Counsel for the applicant submitted

that it is a petty incident for which custodial interrogation is not necessary. The incident is dated 17/04/2020 and after about a year there is really no necessity for the applicant's custodial interrogation.

5. Learned APP left the matter to the discretion of the Court.

6. I have considered these submissions. I have perused the FIR. From the FIR it does appear to be a petty incident, no force was used by the present applicant. The informant was not assaulted. Therefore considering the minor nature of the incident, custodial interrogation of the applicant is not necessary. He can be protected by an order of anticipatory bail.

7. Hence, the following order :

ORDER

- (i) In the event of his arrest in connection with C.R. No.124 of 2020 registered with Navghar Police Station, Thane, the

Applicant is directed to be released on bail on his furnishing PR bond in the sum of Rs.30,000/- (Rupees Thirty Thousand Only) with one or two sureties in the like amount.

- (ii) The Application stands disposed of accordingly.

(SARANG V. KOTWAL, J.)