

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

ANTICIPATORY BAIL APPLICATION NO. 1154 OF 2021

Ankush @ Bhau Maruti Kadam. ... Applicant

V/s.

State of Maharashtra. ... Respondent.

Mr. Ritesh M. Thobade, advocate for applicant.

Mr. K.V. Saste, APP for State.

CORAM : SMT. SADHANA S. JADHAV.

DATE : MAY 3, 2021.

(Through Video Conferencing)

P.C.

1 Heard the learned Counsel for the applicant and the learned APP for State.

2 This is an application under section 438 of the Code of Criminal Procedure, 1973 for pre-arrest bail. The applicant herein is apprehending his arrest in Crime No. 249 of 2021 registered at Mohol Police Station for offence punishable under section 353, 143, 341, 323, 504, 506 of the Indian Penal Code.

3 It is the case of the prosecution that on 10th March, 2021, one Mr. Valmiki Nile, who happens to be sarpanch of village Sayyad Varvade, Taluka Mohol lodged a report at the police station that on 10th March, 2021 at about 10.45 a.m. he was proceeding towards gram panchayat office for conducting meeting. The applicant herein had obstructed his way and had restrained him from entering office of gram panchayat, since he had grudge that the first informant had opposed the rival party. It appears that there was previous quarrel, since the son of the first informant had assaulted Sanjay Kore and N.C. has been registered.

4 Initially, offence was registered under section 341, 323, 143, 504, 506 of the Indian Penal Code. All the offences were bailable offence and hence, subsequently, section 353 of the Indian Penal Code was added only to make out a case for arrest of the accused. It is submitted that the co-accused in the present case have been protected by this Court (Coram : Sandeep K. Shinde, J) vide Order dated 7th April, 2021.

5 Prima facie, custodial interrogation of the present applicant is not imperative. Hence, the applicant deserves pre-arrest bail. Hence,

following order is passed :

ORDER

- (i) The application is allowed.
- (ii) In the event of arrest in Crime No. 249 of 2021 registered at Mohol Police Station, the applicant be enlarged on bail on furnishing PR. Bond in the sum of Rs. 25,000/- and one or more solvent sureties in the like amount.
- (iii) The applicant shall report to the police station on 10/5/2021 and 17/5/2021 and cooperate with the investigating officer.
- (iv) The application is disposed of accordingly.

(SMT. SADHANA S. JADHAV, J)