

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO.1919 OF 2021**

Arjun Rajesh Kale .. Applicant
Versus
State of Maharashtra .. Respondent

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Mr.S.B.Deore i/b Mr.Himanshu Gavit for the Applicant.
Mr.A.R.Kapadnis, APP for the State.

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**CORAM: BHARATI DANGRE, J.
DATED : 13th AUGUST, 2021**

P.C:-

1. The applicant is apprehending his arrest in C.R.No.I-102 of 2021 registered with Upnagar Police Station, Nashik thereby invoking Sections 323, 324, 354, 452, 504, 506, 143, 147 and 149 of the IPC.

2. The complainant, a lawyer by profession, report to the police station on 28/06/2021 about an incident dated 25/06/2021 when she was present at home. It is stated by her that one man and one woman barged entry into her house on the pretext that they had some work with her. They were followed by the persons known to her being Sujata Barve, Bhalchandra Bhujbal and one unknown female. Sujata Barve abused her in filthy language and she was assaulted by fist and blows is the allegation. It is further alleged that a pointed drill

like instrument from the spot was picked up and she was punched by the same on her neck. She was also threatened that she should withdraw the complaint filed against her and also vacate the flat. It is then alleged that Bhalchandra Bhujbal, one of the accused, moved his hand over her body in an attempt to outrage her modesty. She raised a cry for help and was rescued.

3. These allegations indict the present applicant as an accused. Learned APP state that his presence is noted in the CCTV footage installed in the building.

4. Learned counsel for the applicant state that on an earlier date i.e. on 25/06/2021, an NC complaint was lodged by the applicant against accused Bhalchandra, Sujata and complainant's husband-Vishal Kulkarni.

The allegations in present C.R. are of assaulting and outraging the modesty of the complainant. As far as the applicant is concerned, though his presence can be, *prima facie*, recorded in the version of the complainant, he is not attributed the role of either assaulting her or outraging her modesty.

5. In view of the aforesaid, the applicant deserves protection in the event of his arrest. Hence the following order.

: ORDER :

- (a) The Application is allowed.
- (b) In the event of arrest in C.R.No.I-102 of 2021 registered with Upnagar Police Station, Nashik, applicant-Arjun Rajesh Kale shall be released on bail on furnishing P.R. bond to the extent of Rs.25,000/- with one or two sureties of the like amount.
- (c) The applicant shall report to the concerned police station as and when called for.
- (d) 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 shall not tamper with the prosecution evidence.

(SMT. BHARATI DANGRE, J.)