

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

ANTICIPATORY BAIL APPLICATION NO.2610 OF 2018

1. Lahu Tukaram Wayale (Vayle)
2. Vaibhav Lahu Wayale (Vayle) ...Applicants
Versus
The State of Maharashtra and Anr. ...Respondents

Mr. Vishal A. Patil, for the Applicants.

Ms. P. P. Shinde, A.P.P for the Respondent No.1– State.

CORAM : REVATI MOHITE DERE, J.

DATE : 24th AUGUST, 2021

P.C. :

1. Heard learned Counsel for the applicants.
2. By this application, the applicants seek pre-arrest bail in connection with C.R. No.311 of 2018, registered with the Hill Line Police Station, Thane, for the alleged offences punishable under Sections 353, 332, 504, 506 r/w 34 of the Indian Penal Code.
3. This Court (Coram: Prakash D. Naik, J.) vide order dated 18th December 2018, granted interim protection to the applicants and the applicants were directed to report to the Investigating Officer of the

concerned police station on the dates mentioned in the said order.

4. Learned Counsel for the applicants states that the applicants have attended the concerned Police Station, as directed by this Court vide order dated 18th December 2018.

5. Perused the papers. The allegation as against the applicants is that they obstructed the complainant in discharge of his duty and assaulted him. The applicant No.1 himself is a Government Servant. A perusal of the injury certificate shows that the injuries sustained are simple in nature i.e. 2 abrasions. The applicants were granted interim protection vide order dated 18th December 2018. The incident is of 30th November 2018.

6. Considering the aforesaid, custodial interrogation of the applicants is not warranted. The application is accordingly allowed and the interim protection granted by this Court vide order dated 18th December 2018, is confirmed on the following terms and conditions :-

ORDER

(i) In the event of the arrest, the applicants be enlarged on bail on executing P.R. Bond in the sum of Rs.20,000/- each with one or more sureties in the like amount ;

(ii) The applicants shall inform their latest place of residence and mobile contact number and/or change of residence or mobile details, if any, from time to time to the Court seized of the matter and to the Investigating Officer of the concerned Police Station;

(iii) The applicants shall not contact the complainant, witnesses or any person concerned with the case;

(iv) The applicants shall co-operate in the conduct of the trial.

7. The application is allowed in the aforesaid terms and is accordingly disposed of.

8. It is made clear that the observations made herein are *prima facie*, for the purpose of deciding this application.

9. All concerned to act on the authenticated copy of this order.

REVATI MOHITE DERE, J.