

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

913 ANTICIPATORY BAIL APPLICATION NO.529 OF 2022

ASARAM LAXMAN WAGHMARE @ WAGHMODE
VERSUS
THE STATE OF MAHARASHTRA

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Advocate for Applicant : Mr. Jagtap Adinath B.
APP for Respondent-State : Mr. G. O. Wattamwar.
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CORAM : S. G. MEHARE, J.
DATE : 23.06.2022

PER COURT :-

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

2. It has been alleged against the applicant that on the date of incident, he entered into the office of the first information and asked him “why he did not pick up his phone and why he is not giving him the required information” ? Thereafter, the applicant has torn the papers lying on the table and confined them all in the office by locking the door from outside. The learned counsel for the applicant would submit that though the incident as such happened, however, the first informant was continuously absent from his duty and he was harassing the villagers and was not providing the various certificates, which

were required by the villagers for various purposes. The villagers were prepared to make his complaint to the Higher Authority. The first informant was very much arrogant. He was saying that, “he is not the servant of the villagers”. To save his skin, he has filed the false report against the applicant. Hence, he may be released on bail.

3. Learned APP would submit that none of the witnesses supporting the prosecution case except the first informant.

4. It reveals that the alleged incident might have happened due to the failure of the services to be rendered by the first informant. The villagers were angry with the conduct and performance of the first informant. That apart, the prosecution has no evidence to corroborate the complainant.

5. In view of this fact as well as nothing is to be recovered and discovered from the applicant, this Court is of the view that the application deserves to be allowed. Hence, the following order :

ORDER

(i) The application is allowed.

(ii) In the event of arrest, the applicant Asaram Laxman Waghmare @ Waghmode, shall be

released on bail in Crime No.168 of 2022, registered with Police Station M.I.D.C., District Ahmednagar for the offences punishable under Sections 353, 186, 342, 427, 504, 506 read with Section 34 of IPC, on furnishing P.B. and S.B. of Rs.20,000/- (Rupees Twenty Thousand only) with one solvent surety in the like amount, on the conditions that he shall attend the Police Station as and when called by the Investigating Officer on written notice. He shall not tamper with the prosecution witnesses.

(iii) *Humdast* allowed.

(S. G. MEHARE, J.)

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vmk/-