

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

ANTICIPATORY BAIL APPLICATION NO.537 OF 2022

VAZIR KHAN S/O YASIR KHAN PATHAN
VERSUS
THE STATE OF MAHARASHTRA

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Advocate for Applicant : Mr. Chaitanya C. Deshpande
h/f Mr. Bhosle Abhaysinh K.
APP for Respondent-State : Mr. S. B. Narwade.
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CORAM : S. G. MEHARE, J.
DATE : 15.06.2022

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 he went to the Village Development Officer along with two others in the Office of the Village Panchayat and was demanding him the resolution for the Ration Control Shop. The Village Development Officer told that today is the monthly meeting of the Village Panchayat, so he would give them a resolution by tomorrow, but the applicant along with others turned adamant and abused him. They were tried to be convinced by Up-Sarpanch

and other members but they were not ready to listen. They entered the Village Development Office and torn the Government record.

3. Learned APP would submit that the offence is serious. They have destroyed the public record. They are co-active and therefore, there is possibility of tampering the prosecution witnesses. It has been alleged by the accused / applicant that he entered the office of the Village Development Officer and was forcing him to give a particular resolution of a Village Panchayat and he tried to convince that due to monthly meeting of the Village Panchayat, he could not give the resolution. The applicant and other co-accused became aggressive and torn the Government record. Though the offence is of destroying the public record, but the fact remains that nothing is to be recovered and discovered from the applicant. So far as the apprehension of prosecution of tampering the evidence at the hands of the applicant is concerned, it will be guarded by imposing the certain conditions. Hence, the following order :

ORDER

- (i) The application is allowed.
- (ii) In the event of arrest of the applicant Vazir Khan S/o Yasir Khan Pathan, in connection with Crime No.62 of 2022, registered with Police Station M.I.D.C. Paithan, District Aurangabad for the offences punishable under Sections 294, 332, 353, 504 read with Section 34 of IPC and Section 3(i) of the Maharashtra Prevention of Defacement of Property Act, 1995, be released on bail on furnishing P.B. and S.B. of Rs.20,000/- (Rupees Twenty Thousand only) on the conditions that he shall attend the Police Station on every Sunday and Saturday between 11.00 a.m. to 1.00 p.m. till the charge-sheet is filed. He shall not tamper with the prosecution witnesses.
- (iii) *Humdast* allowed.

(S. G. MEHARE, J.)

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vmk/-