

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

ANTICIPATORY BAIL APPLICATION NO.833 OF 2022

NIVRUTTI WALMIK PHAD
VERSUS
THE STATE OF MAHARASHTRA

...
Advocate for Applicant : Mr. Sudarshan J. Salunke
APP for Respondent : Mr. S. B. Narawade
...

CORAM : S. G. MEHARE, J.

DATE : 25-07-2022

PER COURT :-

Heard the learned counsel for the applicant and the learned APP for the respondent/State.

2. The prosecution has a simple case in which the deceased was working on the electric pole on the instructions of the applicant. However, the applicant, without taking due care, put on the electricity supply when he knew that the deceased was working on the electricity pole. On these allegations, the offence is registered, but the prosecution is unable to point out that the custodial interrogation of the applicant would serve the purpose. Considering the allegations against the applicant, it appears that it was nothing but a misjudgment of the applicant or miscommunication between the deceased and the applicant.

3. For the reasons stated above, this Court is of the view that the application deserves to be allowed. Hence, the following order-

- i) The application is allowed.
- ii) The interim protection granted to the applicant by the order 12.07.2022 is confirmed on the same terms of bail on the condition that the applicant shall submit his mobile handset within three days from today to the investigation officer and give a voice sample.

**(S. G. MEHARE)
JUDGE**

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