

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

ANTICIPATORY BAIL APPLICATION NO.835 OF 2022

RAJENDRA NILKANTH AMODKAR
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER

...
Advocate for Applicant : Mr. Rahul A. Tambe
APP for Respondent/State : Ms. V. S. Choudahri
...

CORAM : S. G. MEHARE, J.
DATE : 22-07-2022

PER COURT :-

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

2. The applicant has specific case that the complainant lodged the report against the applicant to the competent authority i.e. Executive Engineer of MSEDCL on 19.05.2022. She again lodged the report on 01.06.2022. In both these reports, she did not accuse the applicant. However, for the first time, she alleged against the applicant that he put his hand around the neck of complainant. The record reveals that there was protest to protect the women from atrocities at work place. The competent authority has taken action against the wrong doer. There are bare allegations, that too levelled late in time, about putting the hand around the neck and shake the hand of the complainant.

3. The learned APP for the respondent/State has opposed the

application contending that the offence is serious. Hence, no protection can be granted to the applicant.

4. The learned counsel for the applicant would submit that the applicant is a lower divisional clerk and the victim was a contractual employee. She was removed from the service by the Executive Engineer i.e. accused No.1. Hence, she had grievance against the permanent employees. Therefore, she has made the false serious allegations against the applicant.

5. Perused the papers and the application. There appears substance in the submissions made by the learned counsel for the applicant that in two complaints she did not allege against the applicant. However, suddenly in the third statement, she had made allegations as stated above against the applicant. Considering the facts of the case, this Court is of the view that nothing is to be recovered from the applicant. No purpose would be served if the applicant is sent for custodial interrogation. Hence, the application deserves to be allowed. Therefore, the following order -

- i) The application is allowed.
- ii) The interim protection granted to the applicant by order dated 05.07.2022 is confirmed on the same terms of bail.

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