

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

CRIMINAL ANTICIPATORY BAIL APPLICATION NO.304 OF 2022

Santosh S/o. Sahebrao Phadke & Ors. ... Applicants

Vs.

The State of Maharashtra ... Respondent

Mr.Siddhsen Borulkar for the Applicants.

Mr.S.R. Agarkar, APP for the Respondent –State.

Mr.Keshav Y. Wable, API, Yavat Police Station, Pune (Rural).

CORAM : C.V. BHADANG, J.

**DATE : 4 FEBRUARY 2022
(Through Video Conferencing)**

P.C.

. By this Application, the Applicants apprehending arrest in Crime No.60 of 2022 of Yavat Police Station, District-Pune under Section 353, 332, 341, 342, 504, 506, 143, 147, 149 of Indian Penal Code are seeking anticipatory bail.

2. The aforesaid Crime is registered on the basis of the complaint lodged by Haridas More working as a junior Engineer with the Maharashtra State Electricity Distribution Company Limited (MSEDCL), Yavat, Taluka-Daund, District-Pune.

3. On 17 January 2021 at about 10.00 a.m. the first informant along with Senior Technician Praveen Dhawale and

the field workers had gone to Kangaon for disconnection of the electricity feeder as there were arrears of the electricity charges of the agriculturalists in the said village which according to the learned counsel for the Applicant were more than Rs.9 Crores. It is alleged that the Applicant and other villages gathered there and prevented the public servants from discharging their public duties. There are also allegations about Applicants having man handled Ranjit Chandgude and others.

4. The learned Sessions Judge while granting anticipatory bail to two co-accused has refused to grant pre-arrest bail to the present Applicants, presumably on the ground that there are allegations of assault attributed to the present Applicants.

5. I have heard learned counsel for the parties. Perused record.

6. *Pirma facie* it appears that the electricity feeder supplying electricity to entire village was sought to be disconnected as there were arrears of the entire village community of the electricity charges. The MLC report of the injured *prima facie* shows simple injuries.

7. The learned counsel for the Applicant submitted that there were several persons who had gathered and the Applicants are not responsible for any assault. He pointed out that as the electricity feeder of the entire village was sought to be disconnected all the villagers were aggrieved and no individual assault can be attributed to the present Applicants.

8. The learned counsel for the Applicants on instructions states that the Applicant shall deposit their individual arrears of the electricity charges, if any, before the MSEDCL within four weeks from today.

9. The learned Additional Public Prosecutor on instructions from the Investigating Officer states that subject to the payment of the arrears, the Applicant may be directed to join the investigation at this stage. Hence, the following order is passed.

ORDER

(i) In the event of their arrest, in connection with investigation of Crime No.60 of 2022 of Yavat Police Station, District-Pune, the applicants shall be released on bail on executing a P.R. Bond in the sum of Rs.25,000/- each with one or two solvent sureties each in the like amount.

- (ii) This shall be further subject to the condition that the Applicants shall deposit an amount of their individual arrears of the electricity charges, if any, with the MSEDCL within four weeks from today.
- (iii) The Applicants shall intimate the Investigating Officer accordingly and shall produce the proof of such payment or no due certificate from MSEDCL.
- (iv) The applicants shall report to the investigating officer on 10 and 11 February 2022 between 11.00 a.m. to 1.00 p.m. and as and when required by the investigating officer and shall co-operate with the investigating agency.
- (v) The Applicants shall not associate themselves and shall not indulge in a similar incident while on bail.
- (vi) In the event of breach of any of the conditions, including about deposit of the arrears of the electricity charges, this order shall stand vacated without reference to the Court.
- (vii) The Criminal Application is disposed of in the aforesaid terms.

C.V. BHADANG, J.