

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRI. ANTICIPATORY BAIL APPLICATION NO. 317 OF 2022

Sunil Parshuram Jathar

..Applicant

Vs.

The State of Maharashtra

..Respondent

Mr. Pratik Jadhav, for the Applicant.

Mr. R. M. Pethe, APP for the Respondent / State.

PSI Amit R. Deshmukh, Bhudargad Police Station, Kolhapur.

CORAM : C.V. BHADANG, J.
DATE : 25 FEBRUARY 2022

MAMTA
AMAR
KALE
Digitally
signed by
MAMTA AMAR
KALE
Date:
2022.02.25
18:36:50
+0530

P.C.

. By a detailed order dated 4 February 2022, the Applicant was granted interim protection, from arrest, in Crime No.15/2022 of Police Station Bhudargad, District Kolhapur, under Section 353 of IPC.

2. This was interalia on the condition that the Applicant shall deposit individual arrears of the electricity charges, if any. The learned counsel for the Applicant has tendered across the bar, a

receipt dated 5 February 2022 by which the Applicant has deposited the electricity charges of Rs.8,400/-.

3. The learned counsel for the Applicant submitted that the Applicant was only pursuing the case of several agriculturists from the Village Bhudargad, whose electricity connections were disconnected enblock. It is submitted that the Applicant had no intention to assault or to prevent the public servant from discharging his duties and there is no element of the offence under Section 353 of IPC which can be seen from the FIR. However, the learned counsel for the Applicant submitted that by way of remorse, the Applicant shall deposit a reasonable amount with the Legal Services Authority to show his bonafides.

4. In the circumstances, the Criminal Application is disposed of in terms of the order dated 4 February 2022, which is hereby made absolute, subject to the further condition that the Applicant shall deposit an amount of Rs.5,000/- with the Legal Services Authority and shall produce the receipt, within two weeks. This will be without prejudice to the rival contentions of the parties.

C.V. BHADANG, J.