

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

ANTICIPATORY BAIL APPLICATION NO.1534 OF 2022

Jagannath Tukaram Darade

Age 71 years, Occ: Agriculturist,

R/o Mauje Nalwadi, Tal.Sinnar,

Dist.Nashik

.... Applicant.

Versus

The State of Maharashtra

Police Inspector, Wavi Police Station,

Tal.Sinnar, Dist.Nashik

.... Respondent.

...

Mr Hanmant G. Wakshe, Advocate for the Applicant.

Mr M.G. Patil, APP for the State.

...

CORAM : R. N. LADDHA, J.

DATE : 21 DECEMBER 2022.

P.C.:

In this application, the Applicant has approached this Court seeking anticipatory bail in connection with an FIR bearing C.R.No.110/2022 registered against him at Wavi Police Station, District-Nashik under Sections 353, 504, 506 r/w Section 34 of the Indian Penal Code.

2. On 13.06.2022, when this application came up for consideration, this Court found that a prima facie case for grant of ad-interim protection was made out by the Applicant and that as such ad-interim protection could be granted subject to the Applicant to cooperate with the investigation and report to the

Investigating Officer as and when directed. Consequently, the following order granting ad-interim protection was passed in favour of the Applicant.

- “i) Issue notice to the respondents, returnable on 11th July, 2022.*
- ii) In the event of arrest of the Applicant in C.R.No.110 of 2022, registered with Wavi Police Station, Taluka-Sinnar, District-Nashik, he shall be released on bail on executing PR Bond in the sum of Rs.15,000/- and surety in the like amount.*
- iii) The Applicant shall not tamper with the prosecution evidence/ and or give threat or inducement to any of the prosecution witnesses.*
- iv) The Applicant shall cooperate with the investigation and report to the Investigating Officer as and when directed.”*

3. Today, when the application is listed for further consideration, Mr Hanmant Wakshe, learned Counsel appearing for the Applicant submitted that, the Applicant had attended the Police Station and cooperated with the investigation. Further he submitted that in the present case charge sheet is filed and that, therefore, the application may be allowed in the interest of justice.

4. Mr M.G.Patil, learned Additional Public Prosecutor confirms that the Applicant has indeed cooperated with the investigation. He, on instructions, submits that the charge sheet has been filed on 9.11.2022 and now the police do not want the

custody of the Applicant. It is submitted that this Court may issue appropriate directions to the Applicant to attend the trial Court regularly and to cooperate for the expeditious disposal of the case.

5. Given the above, this Court is inclined to confirm interim protection by allowing the present application. Hence, the following order.

ORDER

a) It is directed that in the event the Applicant is arrested in connection with C.R.No.110 of 2022 registered at Wavi Police Station, Nashik for the offences punishable under Sections 353, 504, and 506 r/w Section 34 of the Indian Penal Code, he shall be released on bail on furnishing a P.R.Bond of Rs.25,000/-with one or two solvent sureties in the like.

b) The Applicant shall not, himself or through any other person, indulge in any activity that would tamper with the evidence or influence the witnesses.

c) The Applicant shall regularly attend the trial Court.

[R. N. LADDHA, J.]