

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

CRIMINAL ANTICIPATORY BAIL APPLICATION NO.2621 OF 2021

Sagar Sadanand Kadu

... Applicant

Vs.

The State of Maharashtra

... Respondent

Mr.Rahul Thakur for the Applicant.

Mr.Y.Y. Dabke, APP for the Respondent –State.

Mr.Sachin D. Patil, API, Uran Police Station, Navi Mumbai.

CORAM : C.V. BHADANG, J.

DATE : 21 JANUARY 2022

P.C.

. By this Application, the Applicant apprehending arrest in connection with investigation of Crime No.287 of 2021 registered with Uran Police Station, under Section 353, 504, 506 and 427 of the Indian Penal Code is seeking anticipatory bail.

2. The prosecution case as disclosed from the complaint lodged by Mr.Rahul Mahadev Shinde, who is a Assistant Engineer with the State Electricity Board is that on 29 September 2021 at about 11.00 to 11.15 a.m. the informant along with other employees of the Board had gone to the premises of Swaroop Sadanand Kadu situated at Karanja Road, Taluka-Uran, District-Raigad for recovery of an amount of Rs.1,26,501/- towards arrears

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of the electricity charges for which the electricity connection to the house of Swaroop Sadanand Kadu was disconnected.

3. It is the material allegation that the Applicant threatened the informant as to how they can disconnect the connection and brought a hammer from the nearby workshop and had rushed on the person of the informant. When Mr.Samrat Bahadure one of the members of the staff accompanying the informant tried to prevent the Applicant from assaulting the informant, the Applicant is said to have snatched the mobile phone of Samrat and had damaged the same. On such a complaint being lodged an offence is registered which is under investigation.

4. This application was adjourned on 18 January 2022 as a submission was made on behalf of the Applicant that the arrears of the electricity charges of Rs.1,26,501/- have already been paid. The learned counsel sought time to take instructions and to produce the receipt.

5. Today the learned counsel for the Applicant states that the amount has not been paid and is still outstanding. The only contention raised is that the electricity connection was not of the Applicant.

6. The Applicant had absolutely no reason, even otherwise, to prevent the public servant from performing the official duty. It is necessary to note that such incidents of preventing the public servants from performing their legal and statutory duty by threatening them or by a show of strength on the spot, are on a rise and a serious view of the matter has to be taken.

7. Considering the overall circumstances, I do not find that a case for grant of pre arrest bail is made out. The Application is rejected.

C.V. BHADANG, J.