

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRI. ANTICIPATORY BAIL APPLICATION NO. 2607 OF 2021

Bhaurao Bhimrao Jadhav	..Applicant
Vs.	
The State of Maharashtra	..Respondent

Ms. Manisha A. Devkar, for the Applicant.
Mr. R. M. Pethe, APP for the Respondent / State.

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CORAM : C.V. BHADANG, J.
DATE : 23 FEBRUARY 2022

P.C.

. The Applicant, apprehending arrest, in connection with investigation of Crime No.608/2021 of Police Station Sangola, District Solapur (Rural), under Section 353, 332, 504 and 506 of IPC, is seeking anticipatory bail.

2. The aforesaid crime is registered on the basis of the complaint dated 28 April 2020 lodged by Dattatray Ganpat Bhale who is Canal Inspector Irrigation Division (Patbandhare Vibhag) Pandharpur. The duty of the first informant involves cleaning of the irrigation canals and to remove any siphoning pipes put in the canals

by the agriculturists or anybody else, so as to prevent pilferage of the canal water. The allegation is that on 28 April 2020, at about 12.00 noon, the Complainant had gone to Village Chikamhudh and had removed the unauthorised siphoning pipes put by the Applicant in the canal. Feeling aggrieved and annoyed by this, the Applicant is alleged to have abused the first informant and caught hold of his neck and hit him.

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

4. It appears that the investigation in the offence is complete and the chargesheet is filed. Although the learned counsel for the Applicant has disputed the allegations in the complaint, it is submitted that the Applicant shall abide by any condition that may be imposed and by way of remorse shall deposit an amount of Rs.5,000/- with the Legal Services Authority.

5. The statement so made is accepted. Although, the act on behalf of the Applicant can not be approved as justified, however, considering the allegation and the fact that the investigation is complete and chargesheet is filed, the custodial interrogation of the Applicant may not be warranted.

6. Hence, the following order is passed.

ORDER

- (i) In the event of his arrest, in connection with investigation of Crime No.608/2021 of Police Station Sangola, District Solapur (Rural), the Applicant be released on bail on executing a P.R. Bond in the sum of Rs.25,000/- with one or two solvent sureties in the like amount.
- (ii) The Applicant shall report to the Investigating Officer as and when required and shall cooperate with the Investigating Agency.
- (iii) The Applicant shall deposit an amount of Rs.5,000/- with the Legal Services Authority as undertaken.
- (iv) In the event of breach of any of the condition, the order shall stands vacated, without reference to the Court.
- (v) The Criminal Application is disposed of, in the aforesaid terms.

C.V. BHADANG, J.