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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO. 3015 OF 2022**

Yogesh Gurunath Bhoir ... Applicant

vs.

State of Maharashtra ... Respondents

Mr Siddhesh Bhole a/w.Mr Arjun Singh Thakur i/b. Global Juris
Consults , Advocate for the Applicant.

Mr S. H. Yadav, APP for the State.

Mr Abnil More – PSI – Bhayandar Police Station.

CORAM : GAURI GODSE, J.

DATE : 27th OCTOBER, 2022

(VACATION COURT)

P.C.:

1. This Criminal Bail Application is filed seeking protection from arrest, as there is a complaint registered with Bhayandar Police Station on 6th October 2022 vide FIR No. 0487 of 2022 for the alleged offences punishable under Sections 353, 323, 332, 427, 504 and 506 of Indian Penal Code 1860.

2. Criminal Bail Application filed by the Applicant before the Additional Sessions Judge, Thane was rejected on 17th October, 2022.

3. The allegation against the applicant is that the complainant Jay Vijay Waghmare who works in Public Works Department in Mira Bhayandar Mahanagar Palika as a Sweeper and Site Supervisor, alleged that on 6th October 2022 at 2.00 am when he was working along with other labourers there was a four wheeler which was parked at the site by some unknown person. The complainant further alleged that when he enquired with the Applicant who was standing near the vehicle parked, the Applicant informed that he was not aware as to whom the vehicle belonged. Thereafter, the Applicant snatched the Tin of Tar from one of the labourers and sprinkled it on the vehicle. It is further alleged that when the complainant questioned the Applicant, the Applicant verbally abused and insulted the applicant and also assaulted him with fist blows. On the basis of this allegation FIR was registered on 6th October, 2022.

4. The learned APP has produced the medical certificate. Perusal of the certificate reveals that there is no grievous injury to the complainant. The injury is simple in nature. Considering the facts stated above and allegations in the FIR, I am of the opinion that custodial interrogation will not be necessary. Learned APP has not shown any antecedents of the Applicant.

Hence by imposing conditions on the Applicant protection can be granted.

5. Hence following order is passed;

(i) In the event of the arrest, Applicant be enlarged on bail on furnishing P.R. bond in the sum of Rs.10,000/- (Ten Thousand only) with one or more sureties in the like amount.

(ii) Applicant shall report to Bhayandar Police Station on every Saturday between 11.00 am to 1.00 pm. Applicant shall continue to attend the concerned police station till completion of investigation.

(iii) Applicant will cooperate with the investigation.

(iv) Applicant shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of this case so as to dissuade him/her from disclosing such facts to the court or to any police officer.

(v) Applicant shall not leave India without prior permission of the appropriate court.

6. Learned Counsel for the Applicant submitted that liberty may be granted to apply for relaxation of the condition to attend the concerned police station. In my view such liberty is not warranted. In the event there is

material change in circumstances, the Applicant can always apply for modification of the conditions.

7. Application is allowed in above terms.
8. All concerned to act on the authenticated copy of this order.

[GAURI GODSE, J.]