

Darshan Patil

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

BAIL APPLICATION NO. 3021 OF 2022

Vilas Anna Shelke	..Applicant
VS.	
State of Maharashtra	..Respondent

Mr. D.B. Kale for applicant.
Mr. N.B. Patil, APP for respondent.
Mr. Sahebrao Barve, API, Vithalwadi Police Station, Thane

CORAM : M. S. KARNIK, J.

DATE : NOVEMBER 30, 2022

P.C. :

- 1.** Heard the learned counsel for the applicant.
- 2.** This is an application for bail filed by the applicant-Vilas Anna Shelke, in connection with C.R. No. 313 of 2022, registered with Vithalwadi Police Station, District – Thane, for the offence punishable under sections 332, 353, 504, 506 of the Indian Penal Code, 1860.
- 3.** The applicant states that he is a social worker and activist who fights against corruption and illegal activities in his vicinity. He claims to have tweeted as well as posted on

social media about the illegal activities and tagged it to the DGP Maharashtra and higher officials. This antagonised a few police officials who have a grudge against him. The alleged incident, as recorded in the First Information Report (hereafter 'FIR', for short), pertains to the use of abusive language by the applicant against the police personnel who were stationed for Nakabandi. It is also alleged that the applicant grabbed the collar of a police inspector and pushed him towards the divider. The police inspector fell down and suffered injury on his wrist.

4. The applicant was arrested on 02/10/2022 and is in custody since then. It is pointed out by the learned APP that the allegations are serious as the applicant was not permitting the police personnel to discharge their duty. Learned APP further submitted that as the charge-sheet has now been filed, the applicant must file an application for bail before the Sessions Court.

5. I have gone through the allegations made in the FIR. The applicant is in custody for more than 1 month and 25 days. Moreover, it is the contention of the learned counsel

for the applicant that the notice under section 41A of the Code of Criminal Procedure, 1973, has not been issued to him and therefore, the arrest is contrary to the law.

6. Now as the charge-sheet has been filed, looking at the nature of the allegations, it is not necessary to keep applicant in custody any further. The applicant has roots in the area of Kalyan. There are no criminal antecedents reported against the applicant. No purpose will be served by prolonging the custody of the applicant. Hence the following order.

ORDER

(a) The applicant – Vilas Anna Shelke, in connection with C.R. No. 313 of 2022, registered with Vithalwadi Police Station, District – Thane, shall be released on bail on furnishing P.R. bond in the sum of Rs 25,000/- with one or more sureties of the like amount.

(b) The applicant shall report to the concerned police station on the first Monday

of every month between 11 a.m. to 1 p.m.

(c) The applicant shall not directly or indirectly make any inducement, threat or promise to any person acquainted with facts of case so as to dissuade him from disclosing the facts to Court or any Police Officer. The applicant should not tamper with evidence.

(d) On being released on bail, the applicant shall furnish his contact number and residential address to the Investigating Officer and shall keep him updated, if there is any change.

7. The application is disposed of.

(M. S. KARNIK, J.)