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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO. 3142 OF 2022**

Laxmi Hanumant @ Lala PawarApplicant

V/s.

The State of Maharashtra & Anr.Respondents

Mr. Ranjeet M. Pawar, Advocate for the Applicant

Mrs. P.N. Dabhokar, APP for the State

API- M.K. Palwe, Baramati Police Station, PUNE.

CORAM : SANDEEP K. SHINDE, J.

MONDAY 14TH NOVEMBER, 2022.

P.C. :

1. Heard learned counsel for the Applicant and learned APP for the State.

2. The accused in subject crime, were raising and breeding pigs as livestock. That was causing nuisance to local residents, which gave rise to a disputes and differences between the complainant and others, on the one hand and accused on the other hand. It appears, on 10th August, 2022, in free-fight between the accused and the complainants caused registration of crime in question against 18 persons under Section 143, 147, 149, 294, 354, 395, 504 and 506 of the

Indian Penal Code and Section 8 of the Protection of Children from Sexual Offences Act, 2012. The Applicant was accused No. 7 in the said crime. She is a 50 year old lady. The allegation against her is that she snatched mobile phone from daughter of complainant, who was allegedly recording the incident of free fight. Except this bare allegation, there are no other allegations were made against her. It appears, the learned Trial Court declined the pre-arrest protection to the Applicant for want of recovery of mobile. Indisputably, co-accused have been , either granted bail or pre-arrest bail. In view of facts above, a case is made out for granting the pre-arrest protection to the applicant. Thus, the following order:

ORDER

- (i) In the event of arrest of the Applicant in Crime No. 372 of 2022 registered with Baramati City Police Station, Dist. Pune, under Sections 143, 147, 149, 294, 354, 395, 504 and 506 of IPC and under section 8 of POCSO Act, she shall be released on bail on execution of P.R Bond in the sum of Rs.10,000/-, with one or more sureties in the like amount.
- (ii) The Applicant shall report to the investigating officer , as when when called.
- (iii) The applicant shall not tamper with the evidence or attempt to influence or contact the complainant, witnesses or any person concerned with the case
- (iv) Application is allowed and disposed of accordingly.

It is made clear that observations made here-in-above be construed as expression of opinion for the purpose of bail only and the same shall not in any way influence the trial in other proceedings.

(SANDEEP K. SHINDE, J.)