

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO. 3407 OF 2022

Wasim Asgar Koilkar ... Applicant

Versus

The State of Maharashtra and another ... Respondents

.....

Mr. Tanveer Patel alongwith Mr. Asit Chaware for the Applicant.

Mr. P.H. Gaikwad Patil, APP for the State.

Mr. Mohammed Sajid Abdul Aziz, Respondent No.2/Complainant,
present.

PI Babasaheb Rokade, Taloja Police Station, present.

.....

CORAM : N.R. BORKAR, J.

DATED : 19 DECEMBER 2022

P.C. :-

. This is an application filed under Section 438 of the Code of Criminal Procedure, 1973 for anticipatory bail.

2. The applicant is apprehending his arrest in Crime No. 266 of 2022 registered at Taloja Police Station, for the offences punishable under Sections 323, 353, 504, 506 r/w. 34 of Indian Penal Code.

3. I have heard the learned Counsel for the applicant and the learned APP for the State.

4. According to the prosecution, on the date of incident, which took place on 8 October 2022, the complainant was working as Electrical Assistant with Maharashtra State Electricity Distribution Company Ltd. on the day of incident he was given the list of consumers who were in arrears of electricity bill and was told to disconnect their electricity connection if the amount of arrears is not paid. According to the prosecution, the complainant came to the house of present applicant as he was in arrears of electricity bill. It is alleged that applicant refused to pay the amount of arrears of electricity bill. The complainant had thus disconnected the electricity connection. It is alleged that the applicant and his brother got annoyed and assaulted the complainant by fist blows. The respondent No.2/complainant is present in person. The applicant has tendered apology to the respondent No.2. The respondent No.2 states that he has no objection if the anticipatory bail is granted to the present applicant. Considering the facts and circumstances and as there are no criminal antecedents, I am inclined to grant anticipatory bail to the present applicant on certain conditions. In the result, the following order is passed :

(i) Application is allowed, subject to deposit of Rs.10,000/- within a period of two weeks from today with :

(a) Maharashtra Police Welfare Fund,
Account No.914010029005759,
IFSC No.UTIB0000060

or

(b) Mumbai Police Welfare Fund,
Account No.465010100008693,
IFSC No.UTIB0000465

(ii) In the event of arrest of the applicant - Wasim Asgar Koilkar in Crime No. 266 of 2022 registered at Taloja Police Station, for the offences punishable under Sections 323, 353, 504, 506 r/w. 34 of Indian Penal Code, he shall be released on bail on furnishing P.R. Bond in the sum of Rs.25,000/- with one or more sureties in the like amount.

(N.R. BORKAR, J.)

KANCHAN
PRASHANT
DHURI

Digitally signed
by KANCHAN
PRASHANT
DHURI
Date:
2022.12.20
17:23:33
+0530