

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

CRIMINAL APPLICATION (ABA) NO.232 OF 2022

Datta Laxman Thakre

Versus

State of Maharashtra, through P.S.O., P.S. Arni, Dist. Yavatmal

Office Notes, Office Memoranda of
Coram, appearances, Court's Orders
or directions and Registrar's order

Court's or Judge's Order

Shri R.J. Shinde, Advocate for the applicant.

Shri S.M. Ghodeswar, A.P.P. for the non-applicant/State.

CORAM : ANIL S. KILOR, J.

DATED : 20/04/2022

1. The applicant is seeking pre-arrest bail in Crime No.265 of 2022, dated 17.03.2022, registered with Police Station Arni, District Yavatmal, for the offences punishable under Sections 353, 332, 323 and 506 of the Indian Penal Code.

2. The allegations in the First Information Report are that the applicant abused the complainant who is the Junior Engineer in M.S.E.D.C.L. and assaulted him and thereby he created hurdle in performing the official duty by the complainant.

3. Shri Shinde, learned counsel for the applicant submits that the applicant is an agriculturist who was repeatedly requesting for compensation towards burning of his sugarcane by short circuit from DP Wire. He submits that

instead of giving compensation, on persistence for such compensation by the applicant, it was resulted in lodging a false complaint against the applicant. He accordingly, prays for grant of pre-arrest bail.

4. Shri Ghodeswar, learned APP strongly opposes the application and prays for rejection of the application.

5. I have perused the Case Diary and also the contents of the First Information Report (FIR).

6. In the Case Diary, there are applications which were made by the applicant for grant of compensation. He has also expressed his frustration for non-cooperation by the department being poor agriculturist. Moreover, looking the allegations made in the FIR, I am of the opinion that the custodial interrogation is not necessary in this case. Accordingly, I pass the following order:

- a) The criminal application is **allowed**.
- b) It is directed that in the event of arrest of the applicant in Crime No.265 of 2022, dated 17.03.2022, registered with Police Station Arni, District Yavatmal, for the offences punishable under Sections 353, 332, 323 and 506 of the Indian Penal Code, the applicant shall be released on bail on furnishing P.R. Bond of Rs.15,000/- with one solvent surety in the like amount.

c) The applicant shall attend the concerned Police Station on 25th and 26th April, 2022 between 11.00 a.m. to 12.00 noon and thereafter, as and when his presence is required.

The criminal application is **disposed of**, accordingly.

[ANIL S. KILOR, J.]