

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

Criminal Application (ABA) No. 693 of 2022

Akash S/o Pradip Chandale

Versus

State of Maharashtra, through Police Station Officer, Wardha

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

Court's or Judge's Order

Shri Mahesh V. Rai, Advocate for the applicant.

Ms. Shamsi Haider, APP for the State / Non-applicant

CORAM : ANIL S. KILOR, J.

DATED : 23rd NOVEMBER, 2022.

The applicant is seeking anticipatory bail under Section 438 of the Code of Criminal Procedure in Crime No. 0449 of 2022 registered with Police Station Pulgaon, Wardha for the offence punishable under Sections 143, 147, 148, 149, 336, 427 and 452 of Indian Penal Code.

2. The case of the prosecution is that the applicant with other persons formed an unlawful assembly and broken the glasses of windows of the informant's house and damaged the truck and entered into the house of the informant, thereupon, the above referred offences were registered.

3. The punishment for the offence punishable under Section 452 of Indian Penal Code is seven years.

4. The other accused are released on bail. Applicant is in Government service. Thus, there is no possibility that the applicant would not be available for trial, if the bail is granted. In the circumstances, though the learned Additional Public Prosecutor is opposing the present application, I am of the opinion that the applicant is entitled for grant of anticipatory bail. Accordingly, I pass the following order.

- i. Criminal application is allowed;
- ii. In the event of arrest in connection with Crime No. 0449 of 2022 registered with Police Station Pulgaon, Wardha for the offence punishable under Sections 143, 147, 148, 149, 336, 427 and 452 of Indian Penal Code, the applicant shall be released on bail on furnishing P.R. Bond of Rs.20,000/- with one solvent surety;
- iii. The applicant shall attend the concerned Police Station as and when his presence is required.

[ANIL S. KILOR, J.]

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by
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K NAIR
Date: 2022.11.25
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