

IN THE HIGH COURT OF JUDICATURE OF BOMBAY  
BENCH AT AURANGABAD

ANTICIPATORY BAIL APPLICATION NO.321 OF 2023

Narayan Ramesh Nagare

... APPLICANT

**VERSUS**

The State of Maharashtra

... RESPONDENT

.....  
Mr. R.J. Nirmal, Advocate for applicant  
Mr. N.T. Bhagat, A.P.P. for respondent  
.....

CORAM : R.G. AVACHAT, J.

DATE : 24th MARCH, 2023

**PER COURT :**

Heard. The First Information Report (F.I.R.) has been lodged by the Talathi of village Ajarsonda on 10/2/2023. It has been alleged in the F.I.R. that, on the given day, the informant was proceeding towards Jawala Bazar. On the way, they noticed one tractor attached with trolley loaded with sand approaching from opposite side. Two other Talathis were in the company of the informant. They intercepted the tractor and enquired as to whether the persons on the tractor had permit to transport the sand. On such questioning, the tractor driver disclosed his name as Pralhad Wagh (co-accused). The

informant sat on the tractor and asked the tractor driver to take it towards the Tahsil Office, Aundha. On the way, one Bolero vehicle came from opposite side. The applicant and co-accused Ganesh Ghuge alighted therefrom. Both, the applicant and Ganesh caught hold of the collar of the informant and made him get down of the tractor. It has also been alleged that, the applicant and co-accused manhandled the informant. The informant's colleague intervened to rescue him. The applicant and co-accused even manhandled them.

2. The learned A.P.P. has strong reservations to grant the relief to the applicant. According to him, such incidents are on the rise. There is no deterrence. The applicant has criminal antecedents.

3. The learned counsel for the applicant would, on the other hand, submit that the applicant is no way concerned with the sand and the tractor transporting the same. The informant being interested person, has exaggerated the incident. The applicant was simply in the company of the co-accused, who have been arrested and released on bail.

4. Considered the submissions advanced. The applicant

is alleged to have manhandled the informant, Talathi and thereby obstructed the Talathi in discharge of his official duty. Considering the nature of the offence against the applicant, custodial interrogation of the applicant is not required. Hence, the application is allowed. The order dated 10/3/2023, granting ad-interim anticipatory bail is hereby made absolute.

5. The applicant shall not tamper with the prosecution evidence and shall appear before the investigating officer as and when required for the investigating purpose.

**(R.G. AVACHAT, J.)**

fmp/-