

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

ANTICIPATORY BAIL APPLICATION NO. 1399 OF 2023

1. Jitendra Diwakar Ogale
2. Hemraj Satish Tamboli
3. Ganesh Laxman Nagare
4. Rakesh Haribhau Ghuge
5. Mayur Rajaram Petkar
6. Yogesh Ashok Bari

Applicants

Versus

The State of Maharashtra

Respondent

Mr. G. R. Syed, Advocate for the applicants.
Mr. M. K. Goyenka, APP for the State.

CORAM : R. M. JOSHI, J.

DATE : 28th NOVEMBER, 2023.

PER COURT :

1. Heard.
2. Applicants apprehend arrest in connection with Crime No. 265/2023, registered with Nandurbar Taluka Police Station, Tq. And Dist. Nandurbar, for the offences punishable under Sections

353, 341, 506, 143, 147, 170 of Indian Penal Code and Sections 37(1) (c) read with Section 135 of Maharashtra Police Act.

3. First informant is the depot manager of Nandurbar bus depot. He has reported the incident occurred on 31st July, 2023 at 10.30 am stating that on Nandurbar-Dondaicha road, ST buses were stopped by the people. It is claimed that applicant No. 1 had pulled out the informant from his vehicle and that he was threatened that unless the officers he called, ST buses would not be allowed to pass village Ranale. It is also alleged that bus drivers and conductors were also threatened.

4. Learned counsel for applicants submits that being fed up by the attitude of the Government authorities of not providing bus stand at village Ranale, the people started agitation and the incident has probably occurred due to the same. It is submitted that there was no intention of the applicant to cause any disruption or take law in hand.

5. Learned APP opposed the application by submitting that such incidents are frequently noticed and grant of anticipatory bail

would encourage the same. It is submitted that usual conditions need to be imposed against such persons.

6. There is no justification of any person to take law in hand however, at the same time, it cannot be ignored that if the grievances of the people are not redressed in time by the Government authorities, occurrence of such incident is inevitable. In such circumstances, the Court needs to see as to whether there was any intention or motive on the part of the applicant to stage such demonstration which in the present case does not seem so. There are no antecedents against the applicants. Learned counsel for the applicants, on instructions, makes a statement that no such incident would be repeated by applicants in future. In view of this, application is allowed in terms of the interim order.

(R. M. JOSHI)
Judge

dwb