

drp

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

ANTICIPATORY BAIL APPLICATION NO.1708 OF 2022

Arvind Uttamrao Wahule

APPLICANT

VERSUS

The State of Maharashtra and Others

RESPONDENTS

.....

Mr. Akshay Subhash Tilve, Advocate for the applicant

Mr. A. V. Deshmukh, APP for respondent - State

Mr. Kishor Gaikwad, Advocate for respondent No.3

.....

[CORAM : NITIN B. SURYAWANSHI, J.]

DATE : 23rd JANUARY, 2023

ORDER :

1. The applicant apprehends arrest in Crime No. 363 of 2022 registered with Mukundwadi Police Station, Aurangabad for offence punishable under section 354-A of the Indian Penal Code and under section 12 of the Protection of Children From Sexual Offences Act.

2. It is alleged in the FIR that while the informant was washing clothes outside her house, the applicant winked at her and snapped her photographs in his mobile. Cousin brother of the informant noticed the act of the applicant and informed the informant about the same. He, then snatched the mobile of the

applicant and showed it to the informant and informant found that her photographs were taken by the applicant. Thereafter, the informant and her cousin raised hue and cry upon which people from the locality gathered there and thrashed the applicant. Since the applicant had suffered injuries, he was required to be sent to hospital.

3. Heard learned advocate for the applicant, learned Additional Public Prosecutor for the State and the learned advocate for respondent No.3. Perused the papers of investigation.

4. Learned advocate for the applicant submits that the applicant was badly thrashed by the mob and he suffered various injuries, including fracture.

5. Cell phone of the applicant is already recovered by the police authorities and the applicant has attended the police station and co-operated in the investigation. Nothing is to be recovered from the applicant. Pre-trial custodial detention of the applicant, in the facts of the present case, is not necessary.

6. The application is, therefore, allowed, by confirming the interim order.

7. Till the trial is over, the applicant shall not enter the area, where the informant is residing. Till filing of the charge sheet, the applicant shall attend the concerned police station on every Saturday and Sunday between 10.00 a.m. and 02.00 p.m. The applicant shall not tamper prosecution evidence.

[NITIN B. SURYAWANSHI]
JUDGE

drp/aba1708-22.doc