

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO. 38 OF 2023

Sandip Shahaji Nandavadekar

...Applicant

Versus

State of Maharashtra

...Respondent

Mr. Satyvarat Joshi a/w Mr. Nitesh Mohite i/b Mr. Ashish Suresh Vernekar, for the Applicant.

Ms. Veera Shinde, APP, for the Respondent/State.

Mr. Amar Nandkumar Sayekar, P.C.(Batch No. 2453) Chandgad Police Station, Kolhapur, present.

CORAM : N.R. BORKAR, J.

DATE : 13 JANUARY 2023.

P.C. :

. This is an application under Section 438 of the Code of Criminal Procedure, 1973 for anticipatory bail.

2. The applicant is apprehending his arrest in Crime No. 373 of 2022 registered at Chandgad Police Station, for the offences punishable under Sections 353, 143, 147, 149, 323, 504, 506 of the Indian Penal Code.

3. I have heard the learned counsel for the applicant and the learned APP for the respondent/State.

4. The complainant is the Sarpanch of Shivanage Grampanchayat. According to him on 21/12/2022, the present applicant alongwith other co-accused came to the office of Grampanchayat and assaulted him while he was conducting the meeting.

5. The learned counsel for the applicant submits that the Sessions Court has released the co-accused on anticipatory bail. It is submitted that the present applicant is involved in the present crime due to political rivalry. It is further submitted that nothing is to be recovered at the instance of the present applicant, and therefore, there is no need for custodial interrogation.

6. On the other hand, the learned APP submits that the present applicant alongwith other co-accused assaulted the complainant that too while he was discharging his duty as public servant. It is submitted that considering the nature of offence the applicant may not be released on anticipatory bail.

7. I have perused the injury certificate of the complainant. No external injuries were found on the person of the complainant at the time of medical examination. The Sessions Court has released some of the co-accused to whom similar role is attributed. Considering the overall facts and circumstances of the case, I am inclined to release the applicant on anticipatory bail. In the result, the following order is passed:

ORDER

A] The Application is allowed.

- B] In the event of arrest of applicant- Sandip Shahaji Nandavadekar, in C.R. No. 373 of 2022 registered at Chandgad Police Station, for the offences punishable under Sections 353, 143, 147, 149, 323, 504, 506 of the Indian Penal Code, he shall be released on bail on executing P.R. Bond in the sum of Rs. 25,000/- (Rupees Twenty Five Thousand only) with one or two sureties in the like amount.
- C] The applicant shall attend the concerned Police Station as and when called by the Investigating Officer and shall co-operate in the investigation.

[N.R.BORKAR, J.]