

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

ANTICIPATORY BAIL APPLICATION NO.124 OF 2023

Dnyaneshwar Changdeo Mule ...Applicant

Versus

The State of Maharashtra ...Respondent

...

Mr. Varad Ozarkar i/b. Mr. Amit Icham for the Applicant.

Mr. S.V. Gavand, APP for Respondent -State.

Mr. Gaikwad, PC, Karkamb police station, present.

CORAM: SMT. ANUJA PRABHUDESSAI, J.

DATED : 9th MARCH, 2023.

P. C. :-

1. This is an application under Section 438 of the Cr.PC. filed by the Applicant apprehending his arrest in C.R. No.389 of 2022 registered at Karkamb Police Station, Solapur Rural, for the offences punishable under Sections 354-B and 506 of the IPC.

2. Heard Mr. Ozarkar, learned counsel for the Applicant and Mr. Gavand, learned APP for Respondent -State. I have perused the records and considered the submissions advanced by the learned counsel for the respective parties.

3. The first informant is the paternal aunt of the Applicant.

She has alleged that on 13/11/2022 the Applicant came to the paddy field and caught hold of her and told her that he loves her and would like to have physical relationship with her. She claims that he pushed her down however, she managed to escape from his clutches.

4. The records reveal that by order dated 18/01/2023 this Court (Coram: M.S. Karnik, J.) had granted interim protection to the Applicant.

5. Learned APP states that in compliance of the said order the Applicant has reported to the Investigating Officer and that he has been interrogated. Learned APP, under instructions from the Investigating Officer further states that the Applicant had earlier lodged an FIR against the relatives of the first informant and the relationship between both the parties is strained.

6. Considering the above facts and circumstances, in my considered view this would not be a fit case for custodial interrogation. Hence, the application is allowed on the following terms and conditions:-

(i) In the event of arrest of the Applicant in C.R. No.389 of

2022 registered at Karkamb Police Station, Solapur Rural, the Applicant shall be released on bail on furnishing bail bonds of Rs.25,000/- with one or two sureties to the like amount;

(ii) The Applicant shall report to the Investigating Officer as and when required by the investigating officer.

(iii) The Applicant shall keep the Investigating Officer informed of his current address and mobile contact numbers, and/or change of residence or mobile details, if any, from time to time.

7. Application stands disposed of.

(SMT. ANUJA PRABHUDESSAI, J.)