

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

ANTICIPATORY BAIL APPLICATION NO.1098 OF 2022

Maruti Nivrutti Shinde ...Applicant

Versus

The State of Maharashtra ...Respondent

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Mr. Kuldeep Patil with Mr. Prashant Hagare for the Applicant.

Mr. Shrikant Yadav, APP for Respondent -State.

CORAM: SMT. ANUJA PRABHUDESSAI, J.

DATED : 24th MARCH, 2023.

P. C. :-

1. This is an application under Section 438 of the Cr.PC. filed by the aforesaid Applicant apprehending his arrest in C.R. No.232 of 2022 registered with Mangalvedha Police Station, District -Solapur, for the offences punishable under Sections 323, 353, 504 and 506 of the IPC.

2. Heard Mr. Kuldeep Patil, learned counsel for the Applicant and Mr. Shrikant Yadav, 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 aforesaid crime was registered pursuant to the FIR lodged by Agatrao Laxman Salgar. The first informant has alleged that on 26/03/2022 he and others had been to village Bathan to recover electricity dues. It is stated that when they visited the house of the Applicant, they found that he had committed theft of electricity. The FIR reveals that when the Officers on duty were trying to take photographs, the Applicant entered into an altercation with them and further abused, threatened and pushed them. Based on these allegations the aforesaid crime has been registered.

4. The records reveal that on 22/04/2022 the Applicant was granted interim protection. Learned APP states that the Applicant has complied with the bail conditions, he has reported to the investigating officer and has been interrogated.

5. Considering the above facts and circumstances and particularly the nature of the accusations, in my considered view this would not be a fit case, which would justify 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.232 of 2022 registered with Mangalvedha Police Station, District -Solapur, the Applicant shall be released on bail on furnishing PR bonds in the sum of Rs.20,000/- with one or two sureties to the like amount;

(ii) The Applicant shall attend the concerned police station 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.

6. The application stands disposed of.

(SMT. ANUJA PRABHUDESSAI, J.)