

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO. 79 OF 2023

Dnyanoba Dattatray Jagtap ... Applicant

Versus

The State of Maharashtra and another ... Respondents

.....

Mr. Ravindra Pachundkar for the Applicant.

Mr. P.H. Gaikwad Patil, APP for the State.

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CORAM : N.R. BORKAR, J.

DATED : 28 APRIL 2023

P.C. :-

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

2. The applicant is apprehending his arrest in Crime No. 233 of 2022 registered at Jejuri Police Station, Pune for the offences punishable under Sections 341, 353, 323, 504 r/w. 34 of Indian Penal Code.

3. I have heard the learned Counsel for the applicant and the learned APP for the State.

4. In spite of service none appears for the respondent No. 2.

5. According to the prosecution, on the date of incident, which took place on 9 July 2022, the present applicant and other co-accused assaulted the complainant by fist and kick blows, while he was discharging public duty as PMT bus driver.

6. Prima-facie, the incident appears to be outcome of some sort of misunderstanding. Nothing is to be recovered from the applicant and thus there is no need of custodial interrogation. There are no other criminal antecedents. Considering the overall facts and circumstances, I am inclined to grant anticipatory bail to the present applicant on certain conditions. In the result, the following order is passed :

(i) Application is allowed.

(ii) In the event of arrest of the applicant - Dnyanoba Dattatray Jagtap in Crime No. 233 of 2022 registered at Jejuri Police Station, Pune for the offences punishable under Sections 341, 353, 323, 504 r/w. 34 of Indian Penal Code, he shall be released on furnishing P.R. Bond in the sum of Rs.25,000/- with one or more sureties in the like amount, subject to payment of Rs.50,000/- to the Tata Memorial Hospital, Mumbai within four weeks from the date of uploading of this order.

(N.R. BORKAR, J.)

KANCHAN
PRASHANT
DHURI

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by KANCHAN
PRASHANT
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