

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO. 158 OF 2023

Mahendra P. Gaikwad ...Applicant
V/s.
The State of Maharashtra and anr. ...Respondents.

Mr. Mithilesh Mishra i/b Mr. Gopal Bhosale for the Applicant.
Mrs. Rutuja Ambekar, APP for the Respondent/State

CORAM : N.R. BORKAR, J.
DATE : 27.02.2023.

P.C. :

1. This is an application under Section 438 of Code of Criminal Procedure for anticipatory bail.
2. The applicant is apprehending his arrest in Crime No.445 of 2022 registered at Jejuri Police Station, Pune (Rural) for the offences punishable under Sections 332, 353, 337, 504 and 506 read with 34 of the Indian Penal Code (IPC).
3. I have heard the learned counsel appearing for the applicant and the learned APP for the respondent / State.
4. According to the prosecution, on the date of incident, which took place on 13 December 2022, the present applicant and other co-accused assaulted the complainant, who was working as a Wireman with MSEDCL and was discharging his duty of preventing the theft of electricity.

5. The learned counsel for the applicant submits that the applicant is a Farmer and there are no other criminal antecedents.

6. The complainant is present before the Court and he states that the applicant has tendered apology to him for the alleged incident and had paid Rs.25,000/- towards medical expenses. Considering the overall facts and circumstances, I am inclined to release the applicant on anticipatory bail. In the result the following order is passed.

ORDER

A) The Anticipatory Bail Application is allowed.

B) In the event of arrest of the applicant in C.R. No. 445 of 2022 registered at Jejuri Police Station, Pune (Rural) for the offences punishable under Sections 332, 353, 337, 504 and 506 read with 34 of the IPC, the applicant be released on bail on executing P.R Bond in the sum of Rs.25,000/- (Rupees Twenty Five Thousand) 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 cooperate in the investigation.

[N.R.BORKAR, J.]