

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CRIMINAL APPELLATE JURISDICTION  
ANTICIPATORY BAIL APPLICATION NO. 362 OF 2023**

|                             |               |
|-----------------------------|---------------|
| 1. Ram Dattatray Polekar    |               |
| 2. Datta Dnyanoba Marne     |               |
| 3. Santosh Dhondiba Dhamale | ...Applicants |
| Versus                      |               |
| The State of Maharashtra    | ...Respondent |

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Mr. Niranjan Mogre for the Applicant.  
Ms Veera Shinde, APP for the State.

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**CORAM : N.R. BORKAR, J.**  
**DATED : 7 FEBRUARY 2023**

**P.C. :-**

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

2. The applicants are apprehending their arrest in Crime No. 194 of 2022 registered at Ghodegaon Police Station, Pune Rural for the offences punishable under Sections 332, 341, 353, 504, 506 r/w 34 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 learned APP on instructions submits that applicant No. 3 is not an accused in the aforesaid crime. In view of this statement, the application qua applicant No. 3 does not survive and the same is disposed of accordingly.

5. According to the prosecution, on the date of incident, which took

place on 16 August 2022, the present applicants prevented the complainant who was working as Police Naik, from discharging his duties.

6. It appears that on the day of incident, the complainant had asked the applicants to park their vehicle in parking area, however, they refused to do so and instead manhandled the complainant.

7. The learned counsel for applicant Nos. 1 and 2 submits that false case is filed against them. It is submitted that the applicants without prejudice to their rights are willing to deposit the non-refundable amount of Rs. 15,000/- each with the Police Welfare Fund and they will not seek the refund of the said amount even if they are acquitted.

6. Considering the facts and circumstances of the case and as there are no other criminal antecedents, I am inclined to release the applicants on anticipatory bail. Hence, the following order is passed:

- (i) Application is allowed.
- (ii) In the event of arrest of applicant No. 1- Ram Dattatray Polekar and applicant No. 2- Datta Dnyanoba Marne in Crime No. 194 of 2022 registered at Ghodegaon Police Station, Pune Rural for the offences punishable under Sections 332, 341, 353, 504, 506 r/w 34 of the Indian Penal Code, they shall be released on bail on furnishing PR bond in the sum of Rs. 25,000/- each with one or two sureties in the like amount.
- (iii) The applicants shall attend the concerned police station as and when called by the Investigating Officer and shall co-operate in the investigation.

(iv) The applicant Nos. 1 and 2 shall deposit the amount of Rs. 15,000/- each within three weeks from today in the following account and shall submit the receipt of payment to the Investigating Officer.

Maharashtra Police Welfare Fund

A/C : 914010029005759

IFSC Code No. UTIB00000060

**OR**

Mumbai Police Welfare Fund

A/C : 465010100008693

IFSC Code No. UTIB0000465.

( N.R. BORKAR, J. )

Digitally  
signed by  
MANGALTAI  
JAYWANT  
JADHAV  
Date:  
2023.02.09  
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+0530