

SA Pathan

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

ANTICIPATORY BAIL APPLICATION NO. 1692 OF 2023

Nilesh Ramesh Vatane ... Applicant
V/s.
The State of Maharashtra ... Respondent

Mr. Aniket U. Nikam i/by Mr. Amit Icham, for
Applicant.

Mrs. Rutuja Ambekar, APP for the State-Respondent.

CORAM : AMIT BORKAR, J.

DATED : JUNE 19, 2023

P.C.:

1. Apprehending arrest in connection with C.R.No.240 of 2023 registered with Wani police station District Nashik for the offences punishable under Sections 353, 332, 352, 323, 504, 506 r/w 34 of the Indian Penal Code (for short 'IPC'). The applicant is seeking relief under Section 438 of the Code of Criminal Procedure (for short 'Cr.P.C.).

2. According to the prosecution, one Lalita Fakirba Suradkar, lady police constable, Adgaon filed first information report based on secret information that the applicant has stored illicit liquor in his shop. She along with squad member conducted raid. At that time, the applicant raised alarm and obstructed the squad and threatened them of dire consequences. Accused No.4 of caught hold the collar of squad member. Accused Nos.5 and 6 rushed towards the informant and caught hold her hair and

slapped. It is alleged that the applicant along with Ramesh Jayram Vatane and Vilas Jayram Vatane assaulted the informant and obstructed her from discharging her official duty. The applicant along with other co-accused filed an application before the Sessions Judge. The Sessions Judge allowed the application of other co-accused. However, rejected application of the applicant. Aggrieved thereby, the applicant has filed the present applicant.

3. On perusal of the report and material on record, it appears that role attributed to Ramesh Jayram Vatane and Vilas Jayram Vatane is similar to the role attributed to the applicant. The applicant attributed role of assaulting the informant. Considering overall facts and circumstances, in view thereof Ramesh Jayram Vatane and Vilas Jayram Vatane have already released on anticipatory bail, the applicant made out the case for release on anticipatory bail. Hence, following order:

- a)** In the event of arrest in connection with C.R. No.240 of 2023 registered with Wani police station District Nashik for the offences punishable under Sections 353, 332, 352, 323, 504, 506 r/w 34 of IPC, the applicant shall be released on bail on furnishing P.R. bond of Rs.50,000/-, along with one or two sureties in the like amount.
- b)** The applicant shall remain present before the concerned police station on 21st, 23rd and 26th June, 2023 between 11:00 am to 2:00 pm thereafter, as and when called by the investigating officer.
- c)** The applicant shall not directly or indirectly make any

inducement, threat or promise to any witness acquainted with the facts of the case so as to dissuade him from disclosing such facts to the court or to any police officer.

d) The applicant shall not obstruct or hamper the police investigation and not to play mischief with the evidence collected or yet to be collected by the police.

e) The applicant shall, at the time of execution of the bond, furnish his address and mobile number to the investigating officer, and the Court concerned, and shall not change the residence till the final disposal of the case.

4. The Anticipatory Bail Application stands disposed of.

(AMIT BORKAR, J.)