

SA Pathan

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

ANTICIPATORY BAIL APPLICATION NO. 1759 OF 2023

Sanika Balkrushna Bhosale	... Applicant
V/s.	
The State of Maharashtra	... Respondent

Mr. Abhijeet U. Pawar, for the Applicant.

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

CORAM : AMIT BORKAR, J.

DATED : JUNE 23, 2023

P.C.:

1. Apprehending arrest in connection with C.R.No.0316 of 2023 registered with Jat police station, Sangali for the offences punishable under Sections 143, 147, 148, 323, 324, 327, 504, 506 and 427 of the Indian Penal Code, 1860 (for short 'IPC'), the applicant has filed present anticipatory bail application seeking relief of pre-arrest bail under Section 438 of the Code of Criminal Procedure, 1973 (for short 'Cr.P.C.).

2. According to the prosecution, the informant is working as chairman of one Sambodhi Samuh, saving group (Bachatgat) which is under the scheme developed by the State Government. On 24 May 2023, it was decided to disburse sanctioned loan amount in favour of member of Bachatgat. On 24 May 2023 at 3:30 when the informant was on the spot of incident for disbursing the amount to members of Sambodhi Samuh Bachatgat, the applicant along with other co-accused objected on informant and

members present at that place. It is alleged that the applicant along with other co-accused assaulted the informant by holding her hair.

3. The applicant, therefore, filed application under Section 438 of Cr.P.C. before learned Sessions Judge which came to be rejected by order dated 16 June 2023. Aggrieved thereby, the applicant has filed the present anticipatory bail application.

4. On perusal of the report and material on record, it appears that the role attributed to the applicant is only to the extent that she assaulted the informant by holding her hair. There is no mention of grievous injury nor serious injury caused to the informant. Considering the nature of allegations against the applicant, custodial interrogation of the applicant is not necessary. Hence, following order:

a) In the event of arrest of applicant in connection with C.R. No. 0316 of 2023 registered with Jat police station, Sangali for the offences punishable under Sections 143, 147, 148, 323, 324, 327, 504, 506 and 427 of IPC, she be released on bail on furnishing P.R. bond of Rs.25,000/-, along with one or two sureties in the like amount.

b) The applicant shall remain present before the concerned police station on 26th, 28th and 30th 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.

5. The anticipatory bail application stands disposed of.

(AMIT BORKAR, J.)