

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO. 3048 OF 2021

Smt. Savita Vilas Jadhav and Ors. ... Applicants

V/s.

The State of Maharashtra ... Respondent

Mr. Ritesh Thobde a/w Mr. Changdev S. Shingade, Adv. for the Applicants.

Mr. S. V. Gavand, APP for the Respondent/State.

PC J. M. Kamble, Salgar Wasti Police Station, Solapur City.

CORAM : SMT. ANUJA PRABHUDESSAI, J.

DATED : MARCH 31, 2023

PC. :

1. This is an application under Section 438 of the Code of Criminal Procedure, 1973 filed by the aforesaid Applicants apprehending their arrest in Crime No. 239 of 2021 registered with Salgar Wasti Police Station, Solapur City for the offences under Section 353, 307, 332, 336, 324, 323, 427, 143, 147, 148, 149, 504 & 506 of the Indian Penal Code, 1860, under Section 4 & 25 of Indian Arms Act, 1959, under Section 135 of Indian Electricity Act, 1956 and under Sections 65(e) & 65(f) of Maharashtra Liquor Prohibition Act, 1949.

2. Heard learned Counsel for the Applicants and learned APP for

the State. Perused the record and considered the submissions advanced by the learned Counsel for the respective parties.

3. It is the case of the prosecution that on 12/11/2021, the police had received information of illegal liquor manufacturing activities near the farm of one Vilas Limbaji Jadhav. It is stated that when the police raided the place, the Applicants and other co-accused abused and assaulted the raiding party.

4. The Applicants were allegedly involved in pelting stones. They had not, *prima-facie*, caused serious injury to any person. Considering the role attributed to the Applicants, this Court by order dated 20/12/2021 had granted interim protection, which is extended from time to time. Learned APP states that investigation has been completed and the charge-sheet is ready and will be filed within a period of one week.

5. Considering the above facts and circumstances, this is a fit case for exercising discretion under Section 438 of the Code of Criminal Procedure, 1973. Hence, the application is allowed on the following terms and conditions :-

(a) In the event of arrest of the Applicants in Crime No. 239/2021 registered with Salgar Wasti Police Station, Solapur City, they shall be released on interim bail on furnishing Bail Bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand Only) each with one or two sureties in the like amount;

(b) The Applicants shall appear before the Investigating Officer as and when required;

(c) The Applicants shall not interfere with the Complainant and the other witnesses and shall not tamper with the evidence or attempt to influence or contact the Complainant, witnesses or any person concerned with the case in any manner;

(d) The Applicants shall keep the Investigating Officer informed of their current addresses and mobile contact numbers and/or change of residence or mobile details, if any, from time to time.

6. The application stands disposed of.

(SMT. ANUJA PRABHUDESSAI, J.)