

VRJ

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

BAIL APPLICATION NO.3298 OF 2022

Virendra Bholenath Soni	... Applicant
V/s.	
The State of Maharashtra	... Respondent

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RAMESH
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Ms. Shubhangi Parulekar for the applicant.

Ms. Rutuja Ambekar, APP for the respondent/State.

CORAM : AMIT BORKAR, J.

DATED : JULY 19, 2023

P.C.:

1. This is an application under section 439 of the Criminal Procedure Code, 1973 in connection with C.R. No.73 of 2022 registered with Chinchwad Police Station, Pune for offence punishable under section 353 of the Indian Penal Code, 1860.

2. According to the prosecution, the applicant was externed for period of 24 months from 26th March 2021 by order dated 26th March 2021. Despite externment order, the applicant visited his home and started quarreling with the family members. At that time the concerned police official apprehended him. There was a scuffle between the applicant and the concerned police officer which resulted in lodging of report against the applicant.

3. The applicant was arrested on 20th February 2022.

4. On consideration of material on record, it appears that the only offence registered against the applicant is under section 353 of the Indian Penal Code, 1973, and 142 of the Maharashtra Police Act, 1951. The maximum punishment prescribed under section 353 is five years. The applicant is in prison from 20th February 2022. Charges are yet to be filed. It is unlikely that the trial will be completed in near future considering the pendency of proceedings before the said Court. Therefore, the applicant deserves to be released on bail. Hence, following order:

- a) The applicant Virendra Bholenath Soni is released on bail in connection with C.R. No.73 of 2022 registered with Chinchwad Police Station, Pune for offence punishable under section 353 of the Indian Penal Code, 1860, on furnishing PR Bond in the sum of Rs.15,000/-, along with one or two sureties in the like amount;
- b) The applicant shall not enter the area of Chinchwad Police Station during pendency of the trial except to attend concerned police station;
- c) The applicant shall attend concerned police station on first Saturday of each month between 11:00 a.m. to 02:00 p.m.;
- d) The applicant shall attend each date before the Magistrate unless exempted by the Court;
- e) The applicant shall not directly or indirectly contact the witnesses or tamper evidence collected by the prosecution;

- f) 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 bail application is disposed of in above terms.

(AMIT BORKAR, J.)