

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

ANTICIPATORY BAIL APPLICATION NO.3305 OF 2022

Bapu Nivrutti Gaikwad

..Applicant

VS.

The State of Maharashtra

..Respondent

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Priyan G. Sarda, for the Applicant.

Ms. P. N. Dabholkar, APP for the State.

CORAM : M. S. KARNIK, J.

DATE : JANUARY 20, 2023

P.C. :

1. Heard learned counsel for the applicant and learned APP.

2. This is an application for pre-arrest bail. The applicant is apprehending arrest in connection with C.R.No.445 of 2022 dated 29/10/2022 registered with Kurduwadi Police Station for offence punishable under sections 353, 427, 34 of the Indian Penal Code, 1860.

3. On 30/11/2022, the following order was passed.

"According to the prosecution the present applicant and other co-accused have caused damage to the public property worth Rs.25,000/-. The learned counsel for the applicant submits that the applicant is willing to deposit the amount of

Rs. 25000/- with the Office of Tehsildar and will not seek refund of the said amount even if he is acquitted. The learned counsel seeks time to file affidavit to that effect.

2. Stand over to 8 December 2022.

3. Till then the applicant shall not be arrested.”

4. The applicant in pursuance of the order passed by this Court approached Tahasildar’s office for deposit of an amount of Rs.25,000/-. I am informed that Tahsildar’s office is under shifting. The applicant is willing to deposit an amount of Rs. 25,000/- and undertakes to do so within 4 weeks from today. Tahsildar, Mhada to accept the same. In this view of the matter, looking at the nature of the accusations, the custodial interrogation of the applicant is not required. Hence, the following order.

ORDER

(a) In the event of arrest of the applicant in connection with C.R.No.445 of 2022 dated 29/10/2022 registered with Kurduwadi Police Station, the applicant-Bapu Nivrutti Gaikwad be released on bail on his furnishing P.R. Bond in the sum of Rs.25,000/- with one or more sureties in the like amount;

(b) The applicant shall not directly or indirectly make any inducement, threat or promise to any person acquainted with facts of case so as to dissuade him from disclosing the facts to Court or any Police Officer and should not tamper with evidence;

(c) The applicant shall attend the investigating officer on 23/01/2023 between 11.00 a.m. and 2.00 p.m. and thereafter as and when called for.

5. The anticipatory bail application is disposed of.

(M. S. KARNIK, J.)