

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT NAGPUR, NAGPUR.

...
CRIMINAL APPLICATION (ABA) NO. 175 /2023

Shudhodhan s/o Shyamrao Manvar

.. Applicant

versus

The State of Maharashtra

Through Its PSO PS Manora Dist.Washim

.. Respondent/s

.....
Mr.A.K. Bhangde, Adv. for applicant

Mr.S.M.Ghodeswar, APP for Respondent

.....

CORAM: ANIL L. PANSARE, J.

DATED : 10th April, 2023.

PC:

The applicant is apprehending arrest in Crime No.87/2023 registered with Manora Police Station, Dist.Washim for the offences punishable under Sections 323, 34, 395, 504, 506 of the Indian Penal Code.

2. Having heard both the sides and having gone through the material placed before me, it appears that there is case and counter case filed against the applicant's group and group of the informant. The incident has occurred on 19th July 2022. There occurred a quarrel between them on the count of running a mutton shop. Both the parties have assaulted each other. One of the co-accused Pankaj has lodged the FIR against the informant and others, on 22nd July 2022 vide Crime No.389/2022 at Police Station, Manora for offence punishable u/ss. 324, 34, 504 and 506 of the IPC. As against, the informant has lodged the present FIR.

3. The accusation against the applicant is that he has snatched mobile of one Surendra Thakare, who came there to pacify the quarrelling parties.

4. The learned counsel for the applicant submits that the applicant is a teacher and working with Lokhit Primary School Manora, Washim. He has no criminal antecedents. He further submits that the applicant is ready to cooperate with the investigation. All other accused except co-accused Raju Subhash Lasankar, who has allegedly snatched the golden chain, have been granted anticipatory bail.

5. In view of the above and considering the peculiar facts and circumstances of the case, though the learned APP has opposed the applicant, to my mind, the applicant is entitled to be released on bail. The interest of prosecution can be protected by putting the applicant to appropriate terms. Hence the following order :

ORDER

(i) The application is allowed.

(ii) In the event of arrest in 87/2023 registered with Manora Police Station, Dist.Washim for the offences punishable under Sections 323, 34, 395, 504, 506 of the Indian Penal Code, applicant-Shudhodhan Shyamrao Manvar, be released on bail on he furnishing P.R. Bond in the sum of 25,000/- with one surety in the like amount.

(iii) The applicant shall attend the concerned Police Station as and when directed by the investigating officer, till filing of the charge-sheet and shall cooperate in the investigation. The attendance of the applicant may be treated as custody for the purpose of discovery of articles u/s . 27 of the India Evidence Act, 1872.

(iv) The applicant shall, at the time of execution of bond, furnish his address and telephone/mobile number(s) to the Investigating Officer and to the Court concerned and shall not change the same till the final disposal of the case.

(v) 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/her from disclosing such facts to the Court or any Police Officer.

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

(vii) The applicant shall maintain law and order.

(viii) In case of breach of any conditions, the learned trial court is at liberty to cancel the bail after giving opportunity of hearing to both the sides.

The application is disposed of.

[ANIL L. PANSARE, J.]

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