



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

CRIMINAL APPLICATION (ABA) NO.548 OF 2023

(Taterao s/o Shivaji Musale and another Vs. State of Maharashtra thr. its PSO PS
Ansing, Tq. & Dist. Washim)

*Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's Orders.*

Court's or Judge's orders.

Mr. O. A. Ghare, Advocate for Applicants.
Mr. Suraj Hulke, APP for Non-Applicant/State.

CORAM: URMILA JOSHI PHALKE, J.

DATE: 5th DECEMBER, 2023.

By this application, the applicants are seeking anticipatory bail in the event of their arrest in connection with Crime No.202/2023 registered with Police Station Ansing, District Washim for the offences punishable under sections 353, 294, 506 read with section 34 of the Indian Penal Code.

2. The learned counsel Mr. Ghare submitted that the applicants are apprehending their arrest at the hands of police as the crime is registered on the basis of a report lodged by Pratibha Shaligram Chaudhari, Naib Tahsildar alleging that on 29.06.2023 at about 12:30 p.m., a vehicle having registration No.MH-37 A-4155 was restrained and thereafter the present applicants were called by the driver of the said vehicle. The present applicant no.1 came at the spot and abused and obstructed the work of the informant, who was discharging her duty. He further submitted that on the

basis of false allegations the report is lodged. As far as allegations are concerned, their custodial interrogation is not required as there is nothing is to be recovered from them. He further submitted that after the interim protection is granted the applicants have co-operated with the Investigating Agency and not misuse the liberty.

3. The learned APP has strongly opposed the application on the ground that the custodial interrogation of the applicants is required and bail application be rejected.

4. Having heard the learned counsel for the applicant and the learned APP for the State, considering the statement made by the learned counsel for the applicant as far as the allegations are concerned custodial interrogation are not required as nothing is to be recovered from the present applicants. The learned APP submitted that the main accused is already arrested. In view of that interim protection granted to the present applicants deserves to be confirmed. Accordingly, I proceed to pass following order:

[i] In the event of arrest in Crime No.202/2023 registered with Police Station Ansing, District Washim for the offences punishable under Sections 353, 294, 506 read with section 34 of the Indian Penal Code, the applicants (i) Taterao Shivaji Musale and (ii) Mumtajbi Musiji Pathan, be released on ad-interim anticipatory bail on furnishing PR bond

in the sum of Rs.25,000/- each with one solvent surety in the like amount.

- [ii] The applicants shall attend concerned police station as and when required for the investigation purpose and shall co-operate in the investigation, till filing of the charge-sheet.
- [iii] The applicants shall furnish their mobile numbers and address with address proof.
- [iv] The applicants shall not tamper with the prosecution evidence or shall not induce, threaten or pressurize any witness, who are connected with the crime.

6. The application is allowed.

JUDGE