



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
BENCH AT AURANGABAD**

**ANTICIPATORY BAIL APPLICATION NO. 272 OF 2024**

SAYLU NAGABHOI ONARWAD

VERSUS

THE STATE OF MAHARASHTRA AND ANOTHER

...

Mr. Rahul M. Jade, Advocate for Applicant

Mr. S.B. Jadhav, APP for Respondents/State

...

**CORAM : NITIN B. SURYAWANSHI, J.**

**DATE : 13<sup>th</sup> MARCH, 2024**

**PER COURT :**

1. Applicant apprehends arrest in C.R. No.567/2023, registered with Vazirabad Police Station, Nanded, for offence punishable under Sections 353, 504, 506 of the Indian Penal Code.
2. FIR is lodged by Mohammad Ahar Mohammad Dastagir, a Public Servant working in the Office of Assistant Commissioner Fisheries, alleging that on 13/12/2023, at about 16:40 hours applicant entered in his office. He was upset with informant and other officers as Government Schemes were not being extended to fishermen. He started abusing them, threw files in the office and tore official communications and documents in the office.
3. Heard learned advocate for applicant and learned APP for respondents/State. Perused the investigation papers.
4. Though specific allegations of throwing files and tearing

official documents are levelled against applicant in FIR, the same is not mentioned in spot panchanama. Torn documents are not seized while preparing spot panchanama. Eye witnesses who are working in the said office, have also supported allegations made in the FIR. They are gone to the extent of stating that some files were torn and thrown by the applicant, however, since that aspect is not reflected in spot panchanama contention of applicant that he is RTI activist and is fighting for rights of fishermen is *prima facie* required to be accepted.

5. Nothing is to be recovered from applicant, therefore, his pre-trial custodial detention is not necessary.

6. In the result, application is allowed.

7. In the event of arrest of applicant in connection with C.R. No.567/2023, registered with Vazirabad Police Station, Nanded, for offence punishable under Sections 353, 504, 506 of the Indian Penal Code, applicant be released on executing P.B. and S.B. of Rs.15,000/- with one surety in the like amount.

8. Till filing of charge-sheet, applicant shall attend concerned police station as and when called by investigating officer and shall co-operate in the investigation. Applicant shall not tamper prosecution evidence.

**(NITIN B. SURYAWANSHI, J.)**