



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

948 ANTICIPATORY BAIL APPLICATION NO. 504 OF 2024

Avinash Himmat Akhade

..APPLICANT

-VERSUS-

1. The State of Maharashtra
2. The Superintendent of Police

..RESPONDENTS

Advocate for Applicant : Mr. Sanket S. Palnitkar h/f Mr. C.C. Deshpande
APP for Respondent/State: Mr.S.P. Sonpawale

CORAM : **SHIVKUMAR DIGE, J.**

DATE : 13th June, 2024.

P.C.:

1. The applicant apprehends arrest in connection with FIR No.19 of 2018 registered with Dhule City Police Station, for the offences punishable under sections 353, 323, 504 and 506 of the Indian Penal Code (For short, "IPC").
2. It is the prosecution case that on 31st January, 2018, the informant Dattatraya Pagare, who was Assistant Accountant of MSEDCL, Dhule lodged the FIR alleging that on that day at about 10 a.m., when he was in the office and discharging his duty as a public servant, the applicant approached him. He demanded electric bill record of the Company Consumer namely Megha Akhade, wife of applicant. He demanded the record immediately and abused the informant. When informant asked him to file necessary application, the applicant gave fist blows, threatened to kill and abused the informant.

3. It is the contention of the learned counsel for the applicant that the applicant had gone to informant to inquire about excess electricity bill. There was verbal altercation between the informant and applicant. The applicant had no intention to commit any crime. Charge-sheet is filed. Custodial interrogation of the applicant is not required. Hence, it is requested to allow the application.

4. It is contention of the learned APP that the applicant assaulted the public servant. It was not necessary to assault or abuse the public servant when he was on duty. The applicant was absconding since occurrence of the offence. Hence it is requested to reject the application.

5. I have heard both the learned counsel. Perused the FIR and police papers produced on record.

6. The incident was happened in the year 2018. Charge-sheet is filed. Incident is happened in the office of informant. Considering the nature of the offence, custodial interrogation of the applicant is not required. Considering the above, I pass the following order :-

ORDER

(i) The application is allowed.

(ii) In the event of arrest of the applicant in connection with FIR No.19 of 2018 registered with Dhule City Police Station, for the offences punishable under sections 353, 323, 504 and 506 of the Indian Penal Code, the applicant be released on executing personal

bond in the sum of Rs.20,000/- with one surety of the like amount, on the following condition :-

(a) the applicant shall attend the concerned police station as and when required by the Investigating Officer.

[SHIVKUMAR DIGE, J.]

sga