



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

955 ANTICIPATORY BAIL APPLICATION NO. 652 OF 2024

AJAY SURYABHAN KAMBLE
VERSUS
THE STATE OF MAHARASHTRA

...
Advocate for Applicant : Mr. Hanumant P. Jadhav.
APP for Respondent/State : Ms. M. L. Sangit.
...

CORAM : **SHIVKUMAR DIGE, J.**

DATE : 07th August, 2024.

P.C.:

. The applicant apprehends arrest in Crime No.66 of 2024, registered with Bhada Police Station, District Latur, for the offences punishable under Sections 354, 354-B, 324, 143, 147, 148, 149, 504, 506 and 452 of the Indian Penal Code and under Section 135 of the Maharashtra Police Act.

2 It is prosecution's case that on 17th March, 2024 at about 09:30 pm, when the informant and her husband were sitting in front of her house, co-accused Suryabhan and his wife Sukeshini came there and started to beat the husband of informant with wooden stick. It is alleged that some persons came there and solved the quarrel. It is alleged that at that time co-accused Suryabhan by making phone call, called the applicant and co-accused Amol. It is alleged that after the

call, the applicant and co-accused with three unknown persons came there alongwith wooden stick and iron rod and they assaulted the family members of the informant. It is alleged that the applicant outraged the modesty of the informant by tearing her blouse and by pressing her chest.

3 It is the contention of the learned counsel for applicant that the applicant has been falsely implicated in this case. He was not present at the time of incident. He is a Zilla Parishad teacher. Being a teacher, his name is mentioned in the crime. Considering the allegations against the applicant, his custodial interrogation is not required. Hence, he requested to allow the application.

4 It is the contention of the learned APP that the applicant and co-accused assaulted the informant and her family members. The injury certificate shows that the informant has sustained injuries. The applicant has outraged the modesty of the informant. Considering the allegations against the applicant, his custodial interrogation is required. Hence, she requested to reject the application.

5 I have heard both the learned counsel. Perused the FIR and the police papers produced on record. The injury certificate of informant shows that she suffered abrasion on left side of hand and head. The allegations against the applicant are that he outraged the

modesty of the informant. The applicant is a Zilla Parishad teacher. Whether he was present at the time of incident or not, is a part of evidence. Considering the allegations against the applicant, his custodial interrogation is not required. Hence, I pass the following order:-

ORDER

- I. The application is allowed.
- II. In the event of arrest of applicants in Crime No.66 of 2024, registered with Bhada Police Station, District Latur, for the offences punishable under Sections 354, 354-B, 324, 143, 147, 148, 149, 504, 506 and 452 of the Indian Penal Code and under Section 135 of the Maharashtra Police Act , he be released on executing personal bond of Rs.15,000/- with one surety in the like amount, on the following conditions:-
 - a) The applicant shall attend the concerned police station as and when required and shall co-operate in the investigation.
 - b) The applicant shall not enter in the village where the informant stays, till filing of the charge-sheet.

[SHIVKUMAR DIGE, J.]