



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

ANTICIPATORY BAIL APPLICATION NO. 740 OF 2024

Sushil Nimba Patil
VERSUS
The State Of Maharashtra

...
Advocate for Applicant : Mr. B.R. Warma
APP for Respondents: Mr. S.P. Sonpawale
.....

CORAM : SHIVKUMAR DIGE, J.
DATED : 19th JUNE, 2024.

PER COURT :-

1. The applicant apprehends arrest in F.I.R. No. 33 of 2024 registered with Marwad police station, Tq. Amalner, district Jalgaon for the offences punishable under Sections 143, 146, 147, 354, 452, 324, 323, 504, 506, 427 of I.P.C. and section 37(1) (C) of the Maharashtra Police Act, 1951.

2. It is the prosecution's case that on 21.3.2024, at around 9.00 a.m. the applicant assaulted the complainant. The applicant caught hold the right hand of the complainant and outraged her modesty. The other co-accused assaulted the family members of the complainant.

3. It is the contention of the learned counsel for the applicant

that the applicant has been falsely implicated in this case. Except the offence punishable under Section 354 of I.P.C. all offences registered against the applicant are bailable. Considering the nature of offence against the applicant, the custodial interrogation of the applicant is not required. Hence, he requested to allow the application.

4. It is the contention of the learned A.P.P. that the applicant and co-accused have assaulted the complainant and her family members. The applicant has outraged the modesty of the complainant. There is prima facie case against the applicant. The custodial interrogation of the applicant is required. Hence, he requested to reject the application.

5. I have heard learned counsel for both sides. Perused the F.I.R. and the police papers produced on record. The allegations against the applicant are that he has outraged the modesty of the complainant. He and the co-accused assaulted with iron rod to the complainant and her family members. Co-accused have been released on bail. Considering the nature of allegations against the applicant, his custodial interrogation is not required and I pass the following order:-

O R D E R

(I) The application is allowed.

(ii) In the event of arrest of the applicant in connection with F.I.R. No. 33 of 2024 registered with Marwad police station, Tq. Amalner, district Jalgaon for the offences punishable under Sections 143, 146, 147, 354, 452, 324, 323, 504, 506, 427 of I.P.C. and section 37(1) (C) of the Maharashtra Police Act, 1951, the applicant be released on executing personal bond in the sum of Rs.15,000/- with one surety of the like amount, on the following conditions :-

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

(SHIVKUMAR DIGE, J.)

rlj/