



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

966 ANTICIPATORY BAIL APPLICATION NO. 1076 OF 2024

YOGESH GORAKSHNATH KARPE

VERSUS

THE STATE OF MAHARASHTRA AND ANOTHER

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Advocate for Applicant : Mr. Rahul R. Karpe

APP for Respondent/State : Mr.P.K. Lakhotiya

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CORAM : **SHIVKUMAR DIGE, J.**

DATE : 2nd August, 2024.

P.C.:

1. The applicant apprehends arrest in connection with FIR No.0596 of 2024 registered with Rahuri Police Station, Tq. Rahuri, Dist.Ahmednagar, for the offences punishable under sections 353 and 336 read with 34 of the Indian Penal Code (For short, "IPC").

2. It is the prosecution's case that informant Police Constable of Rahuri Police Station lodged the report that at about 9:30 p.m, when they were patrolling, they were approached by two persons near the petrol pump. They told them that some persons are creating ruckus in that program. When the police went there, they found four persons acting in an unruly manner. When the police told them not to act in such manner and they should keep quite, they got angry and became arrogant. They were instigating other people against the police. They obstructed the police from doing their work. When police tried to pacify them, they became angry and started throwing earth rolls towards the police and stage of Lavani. Taking benefit of crowd, they ran away. The

police told Yatra committee members to stop the program. On inquiry with the local persons they came to know that the applicant was one of them.

3. It is contention of the learned counsel for the applicant that the applicant has been falsely implicated in this case. The applicant never obstructed the police from doing their duty. The applicant was not present at the time of incident. On the say of someone, the name of the applicant is mentioned in the F.I.R. Considering the allegations against the applicant, his custodial interrogation is not required and requested to allow the application.

4. It is contention of the learned APP that the applicant along with co-accused was disturbing Lavani program. When the police tried to stop him, he obstructed the police from doing the work. Considering the allegations against the applicant, his custodial interrogation is required and requested to reject the application.

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

6. It is allegations against the applicant that he obstructed the police from doing their duties. He pelted earth rolls on the police team. Name of the applicant is mentioned in the F.I.R. on the information given by the villager but no statement of said villager is produced on record to show the involvement of the applicant in this crime. Considering the allegations against the applicant, his custodial

interrogation is not required and 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.0596 of 2024 registered with Rahuri Police Station, Tq. Rahuri, Dist. Ahmednagar, for the offences punishable under sections 353 and 336 read with 34 of the Indian Penal Code, 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.]

sga