



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

929 ANTICIPATORY BAIL APPLICATION NO. 1859 OF 2024
WITH
CRIMINAL APPLICATION NO. 4623 OF 2024 IN ABA/1859/2024

VISHAL ASHOK SHINDE
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER

...
Advocate for Applicant : Mr. Shekade Shashikant E,
APP for Respondents/State : Mr. G.O. Wattamwar
Advocate for assisting APP : Mr. G.V. Mohekar
...

CORAM : ARUN R. PEDNEKER, J.
Dated : December 04, 2024

PER COURT :-

1. Criminal Application No. 4623/2024 is filed for assisting the learned APP. The application is allowed. Mr. G.V. Mohekar, learned advocate is allowed to assist the learned APP.
2. Heard learned counsel for the applicant, the learned APP for the respondents-State and Mr. G.V. Mohekar, learned advocate assisting APP.
3. The applicant is apprehending arrest in connection with Crime No. 970/2024 dated 1.9.2024 registered at Kotwali Police Station, District Ahmednagar for the offences punishable under sections 74, 352, 351(2), 3(5), 49, 333 of the Bharatiya Nyaya Sanhita, 2023.
3. It is the case of the prosecution that in March 2024 when the informant had been to the room for cleaning the room of the applicant (who is brother in law of the informant) the applicant had caught hold of the hand of the informant pressed the chest of the informant against his body, thus, outraging modesty of the informant. The complaint is registered on 1.9.2024.

4. The learned counsel for the applicant placed on record the N.C. complaint dated 27.8.2024 given by the husband of the informant against the informant and submits that there are disputes between the family members and applicant is falsely involved in the above case by the informant. The learned counsel further submits that there is delay of six months in filing the complaint, no recovery can be made in this crime and possibility of false implication of the applicant cannot be ruled out.

5. In view of the above, the application is allowed in the following terms :

i] In the event the applicant is arrested in connection with Crime No. 970/2024 dated 1.9.2024 registered at Kotwali Police Station, District Ahmednagar for the offences punishable under sections 74, 352, 351(2), 3(5), 49, 333 of the Bharatiya Nyaya Sanhita, 2023, he shall be released on bail on furnishing PR bond of Rs.15,000/- with one or two sureties in the like amount to the satisfaction of the trial Court.

ii] The applicant shall attend the police station as and when required.

iii] The applicant shall not tamper with the evidence of the prosecution in any manner. He shall not influence the informant, witnesses and other persons concerned with the case.

iv] The applicant shall co-operate with the investigation and also in the proceedings before the trial Court.

6. In the event, the applicant violates any of the conditions specified in this order, it shall be liable to be cancelled.

7. It is also clarified that the observations made in this order are limited

to the disposal of the present anticipatory bail application and the trial Court shall proceed further in the matter without being influenced by the observations made hereinabove.

8. The application stands disposed of.

(ARUN R. PEDNEKER, J.)

ssc/