



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

949 BAIL APPLICATION NO. 2313 OF 2023

Manoj Mahadev Jadhav
Versus
The State Of Maharashtra

...
Advocate for Applicant : Mr. Kadam Vishal S
APP for Respondent: Mrs. Pratibha J. Bharad

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CORAM : SANJAY A. DESHMUKH, J.
DATED : 5th JANUARY, 2024.

PER COURT :-

1. The applicant is seeking bail under section 439 of Cr.P.C. in connection with crime No. 342 of 2023 registered with Neknoor police station, District Beed, for the offences punishable under Sections 435, 436, 427, r.w. 34 of I.P.C., under Section 3(2) (e) of the Prevention of Damage to Public Property Act and under Section 37(1), 37(3) and 135 of Maharashtra Police Act. His application with similar prayer bearing criminal bail application No. 1212 of 2023 came to be rejected by the learned Additional Sessions Judge-2, vide order dated 30.11.2023.

2. It is alleged that the applicant and other accused persons were agitating for Maratha reservation. They went to the Bus stand at Manjarsumba, Tq. and district Beed on 31.10.2023 and with the help of petrol and matchstick, they tried to set ablaze the table and chair in the control room of said S.T. Stand. However, the informant

extinguished the fire with the help of water from Jar. With these allegations, the report is filed.

3. Learned counsel for the applicant submitted that the applicant has no criminal antecedents. He is a Web Designer. He might have been there for recording the shooting of agitation for Maratha reservation. He is arrested only on suspicion. He therefore, prayed for allowing the application.

4. Learned A.P.P. for the respondent-State has strongly opposed the application. She pointed out that the applicant is identified in the test identification parade by the informant. Learned A.P.P. therefore, prayed for rejecting the application.

5. Perused the report and the papers of investigation. It does not disclose as to how much damage is caused to the table and chair in the control room of the said S.T. stand as stated by the informant. The applicant has roots in the society. The custodial interrogation of the applicant is not necessary. Considering all these aspects, the application deserves to be allowed. Hence, the following order.

O R D E R

I. Application is allowed.

II. The applicant in connection with crime No. 342 of 2023

registered with Neknoor police station, District Beed, for the offences punishable under Sections 435, 436, 427, r.w. 34 of I.P.C. and under Section 3(2) (e) of the Prevention of Damage to Public Property Act and under Section 37(1), 37(3) and 135 of Maharashtra Police Act be released on bail on furnishing personal bond of Rs.15,000/- with one surety of the like amount on following conditions:-

- a) The applicant shall not tamper with the prosecution evidence and/or shall not pressurize the prosecution witnesses, in any manner.
- b) The applicant shall not enter in Manjarsumba village, Tq. and district Beed, till the conclusion of the trial.

(SANJAY A. DESHMUKH, J.)

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