

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

ANTICIPATORY BAIL APPLICATION NO. 551 OF 2024

Shahaji Pralhad Godse

..Applicant

Versus

The State of Maharashtra

..Respondents

Mr. Shashikant P. Chaudhari a/w. Snehal S. Chaudhari a/w. Yogesh Dabke a/w. Prasad Kharade i/b. Maharashtra Law Associates for Applicant.

Mr. Nitin B. Patil, APP for State/Respondent.

CORAM : SARANG V. KOTWAL, J.

DATE : 28 FEBRUARY 2024

P.C. :

1. The Applicant is seeking anticipatory bail in connection with C.R.No.19 of 2024 registered at Vaduj Police Station, Satara, on 06.01.2024, under sections 353, 427 and 506 of the Indian Penal Code.

2. Heard Mr. Shashikant Chaudhari, learned counsel for the applicant and Mr. Nitin Patil, learned APP for the State.

3. The F.I.R. is lodged by one Kapil Jagtap. He was the Chief Officer of Vaduj Nagar Panchayat. There was a proposal of

laying pipes for water supply in Vaduj through the Nagar Panchayat. On 01.01.2024, a program was arranged for *bhoomi poojan* regarding this Government scheme. In that connection, the work of fixing the corner stone was going on between Vaduj, Karad and Mayni road. On 06.01.2024, at about 12.30p.m. when the informant and the other employees of the Nagar Panchayat were present for supervising the work, the applicant who was the Ex-Corporator, came there, quarreled with the informant and others and he obstructed the work. The informant and others tried to make him see reason; but he ignored them. He forced them to stop the work. The informant and others went back to their office. The informant came to know that the applicant has demolished the structure made at the spot. On this basis the F.I.R. is lodged.

4. Learned counsel for the applicant submitted that, it is a politically motivated F.I.R. The applicant being an Ex-Corporator was working for the welfare of the people. He opposed certain schemes which were not beneficial to the people and, therefore, the officers held grudge against him. The present F.I.R. is a result of this grudge.

5. Learned APP opposed this application. He tendered the investigation papers before me for perusal. He submitted that the applicant had obstructed the ongoing work.

6. I have considered these submissions. The allegations in the F.I.R. are vague. There are general allegations that the applicant obstructed the work, but it is not specifically mentioned as to how the applicant had used force against the public servant. It is the main ingredient of Section 353 of the I.P.C. To that extent, the allegations are vague. As far as, causing damage to the corner stone structure is concerned, there are no eye witnesses. The investigation papers did not contain the statement of any eye witness. The informant and others had come to know about such damage. Therefore, to that extent the allegations against the applicant are not substantiated. Though, the applicant was not justified in obstructing the Government scheme, in this background, his custodial interrogation will not serve any purpose. He can be protected U/s.438 of the Cr.p.c. on certain conditions.

7. Hence, the following order :

ORDER

- i) In the event of his arrest in connection with C.R.No.19 of 2024 registered at Vaduj Police Station, Satara, the applicant is directed to be released on bail on his executing P. R. bond in the sum of Rs.30,000/- (Rupees Thirty Thousand Only) with one or two sureties in the like amount.
- ii) The Applicant shall attend the concerned Police Station as and when called and shall cooperate with the investigation.
- iii) The applicant shall not obstruct any Government scheme except in accordance with law.
- iv) The Application is disposed of.

(SARANG V. KOTWAL, J.)