

Rajesh @ Bhagwan Vasant Rao Bhadule ...Applicant
vs.
The State of Maharashtra ...Respondent

CORAM: N. J. JAMADAR, J.
DATE: FEBRUARY 29, 2024

1. Heard the learned counsel for the applicant and the learned APP for the State.
2. This application is preferred seeking pre-arrest bail in connection with C.R. No. 17 of 2024 registered at Pandharpur police station for the offences punishable under sections 353, 332 and 504 of Indian penal Code, 1860.
3. The applicant is a practicing advocate. The first informant who was posted as Superintendent at the Session Court at Pandharpur lodged a report to the effect that on 21st December, 2023 he heard commotion. He found that the applicant was assaulting Mr. K.K. Shaikh, who was posted at the Legal Services Authority office. When the first informant and other staff members attempted to intervene and rescue Mr. K.K. Shaikh, the applicant

allegedly pushed the first informant and also assaulted Mr. S.S. Shinde, another employee. Hence, the report.

4. The learned counsel for the applicant submitted that the incident had occurred as the applicant had noticed an untoward incident in the Court premises. The applicant is a practicing advocate. He has roots in the society. In the backdrop of the nature of the accusation, the custodial interrogation of the applicant is not warranted.

5. The learned APP resisted the prayer for bail. It was submitted that the Court employees were assaulted in the Court premises and therefore the applicant does not deserve the relief of pre-arrest bail.

6. Prima facie, it appears that an altercation had ensued between the applicant and Mr. K.K. Shaikh. The injury certificates indicate that the injured Mr. K.K. Shaikh, the first informant and Mr. S.S. Shinde had sustained blunt injuries. It appears that there was no pre-meditation, and having regard to the nature of the injuries sustained by the injured and the other witness, which have been designated as 'simple', further custodial interrogation of the applicant does not seem warranted.

7. The applicant is a practicing advocate. He has roots in society. There is no possibility of fleeing away from justice. Therefore, I am inclined to allow the application.

8. In the event of arrest in C.R. No. 17 of 2024 registered with Pandharpur police station, the applicant be released on bail on furnishing a P.R. bond in the sum of Rs.30,000/- with one or two sureties in the like amount.
9. The applicant shall cooperate with the investigation and attend Pandharpur police station, on 7th and 8th March, 2024 in between 10 am to 1 pm and, thereafter, as and when directed.
10. The applicant shall not tamper with the prosecution evidence and give threat or inducement to first informant, any of the prosecution witnesses or any person acquainted with the facts of the case.
11. The applicant shall regularly attend the proceedings before the jurisdictional Court.
12. It is clarified that these prima facie observations are confined to determine entitlement to pre-arrest bail only.

Application disposed.

(N. J. JAMADAR, J.)