

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

ANTICIPATORY BAIL APPLICATION NO.1786 OF 2024

Amar Harishchandra Jadhav

.... Applicant

versus

State of Maharashtra

.... Respondent

.....

- Mr. Sidheshwar Biradar a/w Mr. D. R. Shinde, Advocate for Applicant.
- Mr. Vithal B. Konde-Deshmukh, APP for the State/Respondent.

CORAM : SARANG V. KOTWAL, J.
DATE : 11th JULY, 2024

P.C. :

1. The Applicant is seeking anticipatory bail in connection with C.R.No.238/2023, dated 20/11/2023, registered with Shivaji Nagar Police Station, Pune City, under sections 509, 504, 506 r/w 34 of the Indian Penal Code and under sections 37(1), 37(3) r/w 135 of the Maharashtra Police Act. Subsequently, section 354 of the Indian Penal Code was also added.

2. Heard Mr. Sidheshwar Biradar, learned counsel for the Applicant and Mr. Vithal B. Konde-Deshmukh, learned APP for the State.

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3. Learned counsel for the Applicant stated that all the offences except u/s 354 are bailable and the ingredients of section 354 of IPC are not fulfilled as per the facts described in the FIR.
4. According to learned counsel, even as per the FIR, the criminal force was not used by the Applicant against the first informant. There was no assault on the first informant. In response to these submissions, learned APP on instructions states that the investigating agency does not want to arrest the present Applicant in connection with this offence.
5. The statement is recorded and accepted. In view of this statement and based on the submissions made by the learned counsel for the Applicant, he can be protected u/s 438 of Cr.PC.
6. Hence, the following order :

ORDER

- (i) In the event of his arrest in connection with C.R.No.238/2023, dated 20/11/2023, registered

with Shivaji Nagar Police Station, Pune City, the Applicant is directed to be released on bail on his furnishing PR bond in the sum of Rs.30,000/- (Rupees Thirty Thousand Only) with one or two sureties in the like amount.

- (ii) The application stands disposed of accordingly.

(SARANG V. KOTWAL, J.)