

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

ANTICIPATORY BAIL APPLICATION NO. 1960 OF 2024

Shailesh Balasaheb Navadkar	...	Applicant
Versus		
The State of Maharashtra	...	Respondent

Mr. Hrishikesh Giri a/w Mr. Ratan L. Adhe i/by Ashwini S. Jadhav
for the Applicant.

Mr. Balraj B. Kulkarni, APP for Respondent-State.

Mr. R. S. Choudhari, API, Satara City Police Station, Satara.

CORAM: MANISH PITALE, J.

DATE : 29th JULY 2024

P.C. :

. Heard learned counsel for the applicant and learned APP for respondent-State.

2. The applicant before this Court is one of the accused persons and he apprehends arrest in connection with FIR No. 0455 of 2024 dated 18th May 2024 registered at Satara City Police Station, Dist. Satara, for offences under Sections 141, 143, 147, 149, 327, 354, 323, 504 and 506 of Indian Penal Code, 1860 (IPC).

3. As per the statement of the informant, she received a phone call on 17th May 2024, informing her that the accused persons were assaulting her husband. She rushed to the place of the incident along with her daughters, where the accused Aniket

allegedly assaulted the informant and tore her clothes. It is then alleged that the accused persons assaulted the daughters. This resulted in registration of the FIR.

4. The learned counsel for the applicant submits that even if the statement of the informant is taken into consideration, general and omnibus allegations have been made against the applicant and some of the other accused persons. The allegation pertaining to assault on the informant and her clothes being torn, is specifically against only accused Aniket, who has been released on regular bail. It is submitted that there is no question of recovery from the applicant in the light of the allegations made against him. It is submitted that applicant is ready to cooperate with the investigation.

5. On the other hand, the learned APP submits that allegations are specific as regards the assault launched on the daughters of the informant. The role of the applicant is sufficiently described and the statements of the said daughters of the informant, read with the medical papers on record do indicate injuries not only the informant, but the daughters also. On this basis, the application is resisted.

6. This Court has considered the material on record. A perusal of the statement of the informant shows that specific allegation as regards assault on the informant and her clothes being torn is made against co-accused Aniket. The name of the applicant is

certainly mentioned by the informant, but insofar as the role of the applicant is concerned, a general allegation is made against all the accused persons, including the applicant, as also some unknown persons about the manner in which the daughters of the informant were assaulted by way of slaps. The statements of the daughters indeed support the version of the informant.

7. This Court is of the opinion that although the name of the applicant is specifically mentioned in the statement of the informant, insofar as the allegations pertaining to the assault on the informant are concerned, no specific allegation is made against the applicant. A general allegation is made against all the accused persons, including the applicant, about having slapped the daughters of the informant. No further overt act is alleged against the applicant.

8. Considering the nature of allegations, this Court is inclined to allow the present application, subject to the applicant cooperating with the investigation.

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

- (a) In the event the applicant is arrested in connection with FIR No. 0455 of 2024 dated 18th May 2024 registered at Satara City Police Station, Dist. Satara, he shall be released on bail on furnishing PR Bond of Rs.25,000/-

and one or two sureties in the like amount to the satisfaction of the trial Court.

(b) The applicant shall remain present before the Investigating Officer on 1st August 2024 between 10:00 a.m. and 12:00 noon and thereafter, as and when called by the Investigating Officer. The applicant shall cooperate with the investigation.

(c) The applicant shall not tamper with the evidence of the prosecution in any manner. He shall not influence the informant, witnesses or any other person concerned with the case.

10. Needless to say, violation of any of the aforesaid conditions would make the applicant liable to face proceedings for cancellation of anticipatory bail. It is also clarified that the observations made in this order are limited to the question of grant of anticipatory bail to the applicant in the present application.

11. The application is disposed of.

MANISH PITALE, J.