

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

ANTICIPATORY BAIL APPLICATION NO. 2975 OF 2024

Sardar Joti Nigade ...Applicant
Versus
The State of Maharashtra ...Respondent

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Mr. Ashok Tajane, Advocate for the Applicant.

Mrs. G. P. Mulekar, A.P.P. for the Respondent – State.

Mr. Laxman Patil, (P.S.I.) Sadar Bazar Police Station, Solapur City,
present.

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CORAM : N. R. BORKAR, J.
DATE : 13th JANUARY, 2025.

P.C.:

1. This is an application for anticipatory bail.
2. The applicant is apprehending his arrest in Crime No.742 of 2024 registered with Sadar Bazar Police Station, Solapur for the offences punishable under Sections 126(2), 324(4) and 132 of the Bhartiya Nyaya Sanhita, 2023 (for short “BNS”).
3. According to the prosecution on the date of incident which took place on 18.09.2024, at the instigation of the present applicant, on some trivial issue, 45 loco pilots gathered at DME Office, Railway Line, Modi Colony, Solapur. It is alleged that they

obstructed railway operators and caused loss of Rs.45,01,470/- to the Railways.

4. The learned counsel for the applicant submits that false complaint came to be lodged against the applicant as he has lodged the complaint against the senior officers. It is submitted that no custodial interrogation of the applicant is necessary. It is submitted that the applicant therefore may be released on anticipatory bail.

5. On the other hand, learned A.P.P for the Respondent-State submits that considering the nature of offence, the applicant may not be released on anticipatory bail.

6. This Court by order dated 29.10.2024 had granted interim anticipatory bail to the present applicant and directed the applicant to attend concerned police Station. Learned A.P.P on instructions submits that the applicant has complied with the said order.

7. There appears to be no need of custodial interrogation. In that view of the matter, I am inclined to confirm the interim order dated 29.10.2024 passed by this Court, subject to certain conditions.

ORDER

(i) Anticipatory Bail Application is allowed;

- (ii) In the event of arrest of the applicant – Sardar Joti Nigade, in connection with Crime No.742 of 2024 registered with Sadar Bazar Police Station, Solapur for the offences punishable under Sections 126(2), 324(4) and 132 of the BNS, the applicant be released on bail on furnishing P. R. Bond in the sum of Rs.25,000/- with one or more surety in the like amount;
- (iii) The applicant shall not participate in any Union activities of the loco pilots till conclusion of trial.
- (iv) The applicant shall attend the concerned Police Station as and when called by the Investigating Officer and shall co-operate with the Investigation.
- (v) Anticipatory Bail Application is disposed of in the aforesaid terms.

(N. R. BORKAR, J.)