

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

ANTICIPATORY BAIL APPLICATION NO.3620 OF 2024

Balasaheb @ Mahendra Vilas Sodnawar ...Applicant

Versus

The State of Maharashtra ...Respondent

....

Ms. Sana Raees Khan a/w Ms. Juhi Kadu i/by SRK Legal, Advocate for the Applicant.

Mr. Swapnil V. Walve, A.P.P. for the Respondent – State.

Mr. Vijay K. (P.S.I.) Yavat Police Station, present.

....

CORAM : N. R. BORKAR, J.
DATE : 07th JANUARY, 2025.

P.C.:

1. This is an application for anticipatory bail.
2. The applicant is apprehending his arrest in Crime No.1092 of 2024, registered with Yavat Police Station, Pune for the offences punishable under Sections 109, 118 (1), 3(5), 351(2), 352, 61(2) of the Bhartiya Nyaya Sanhita, 2023 (for short “BNS”).
3. According to the prosecution on 02.11.2024, three unidentified persons assaulted the complainant by Koyata and other weapons and attempted to kill him. It is alleged that the same was done at the instance of the applicant as he had doubt

that even after lodging of the report by his daughter against the complainant, the complainant was still stalking his daughter.

4. I have heard the learned counsel for the applicant and the learned A.P.P. for the Respondent-State.

5. The learned counsel for the applicant submits that the applicant has nothing to do with the alleged crime. It is submitted that the allegations against the applicant are made only on the basis of suspicion. It is submitted that there is no need of custodial interrogation and the applicant is ready to cooperate in the investigation. It is submitted that the applicant is a government servant and if he is arrested in the crime in question, it would adversely affect his service career.

6. On the other hand, learned A.P.P. for the Respondent-State submits that the complainant was brutally assaulted and has suffered multiple injuries. It is submitted that the applicant was annoyed with the complainant as he was allegedly stalking his daughter even after police report was lodged by her against the complainant. It is submitted that considering the nature of offence, the applicant may not be released on anticipatory bail.

7. I have perused the statement of the complainant. Admittedly, the complainant was assaulted by three unidentified persons. As on today there is no material to connect the applicant

with the alleged crime. Nothing is to be recovered at the instance of the present applicant. In that view of the matter, I am inclined to release the applicant on anticipatory bail on certain conditions.

ORDER

- (i) Anticipatory Bail Application is allowed;
- (ii) In the event of arrest of the applicant in connection with Crime No.1092 of 2024, registered with Yavat Police Station, Pune for the offences punishable under Sections 109, 118 (1), 3(5), 351(2), 352, 61(2) of the BNS, 2023, the applicant be released on bail on furnishing P. R. Bond in the sum of Rs.25,000/- with one or two sureties in the like amount;
- (iii) The applicant shall attend the concerned Police Station on 21st January 2025 to 24th January, 2025 between 11:00 a.m. to 2:00 p.m. and shall co-operate with the Investigation.
- (iv) The applicant shall not enter into the limits of Taluka Daund till filing of charge-sheet.
- (v) Anticipatory Bail Application is disposed of in the aforesaid terms.

(N. R. BORKAR, J.)