

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

LD VC ANTICIPATORY BAIL
APPLICATION NO. 37 of 2020

Shekhar @ Mukesh Sanadi .. Applicant
Versus
The State of Maharashtra .. Respondent

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Mr. Hrishikesh Mundargi i/b Rohan Hogle for the applicant.
Mr. Deepak Thakare, P.P with Mr.S.V. Gavand, APP for the State.

CORAM: BHARATI DANGRE, J.

DATED : 5th MAY 2020.

P.C:-

1 On the basis of the complaint lodged by the complainant who was assigned duty of bandobast for prevention of Corona Virus, in terms of the notification issued by the State Government and while he was discharging his duty, it is alleged by him that the applicant on being asked to wear the mask entered into a verbal altercation. The complaint refers to the said altercation in detail and allege that he was instigated in discharge of his official duty by the applicant and as far as the assault is concerned, the complaint refers that he placed his hand on his shoulder. With this allegation, the offence has been registered

under Section 323, 353 and 506 of the IPC against the present applicant and also under the relevant provisions of Disaster Management Act, 2005.

2 On perusal of the FIR, prima facie what emerges is a verbal altercation between the complainant and the applicant while the latter was discharging his duty. No ingredients of Sections 323 and 353 of the IPC are made out from the complaint/FIR.

3 Notice is made returnable on 7th July 2020.

4 In such circumstances, applicant is entitled for ad-interim bail subject to the following conditions :

ORDER

1 In the event of arrest, the applicant shall be released on bail on furnishing P.R. bond to the extent of Rs.50,000/- with one or two sureties of the like amount.

2 He shall not directly or indirectly make any inducement, threat or promise to any person acquainted with facts of case so as to dissuade him from disclosing the facts to Court or any Police Officer.

3 The applicant should not tamper with evidence.

4 The applicant shall make himself available as and when required by the Investigating Officer.

SMT. BHARATI DANGRE, J