

FARAD CONTINUATION SHEET NO.
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD.
APPELLATE SIDE JURISDICTION

Office Memoranda of appearance, directions and orders.	Notes, of Court's orders and Registrar's	Office Coram, orders or Registrar's	Court's or Judge's orders.
--	--	-------------------------------------	----------------------------

CRIMINAL APPLICATION NO. 314 OF 2015

VISHAL S/O UTTAMRAO SHINDE
VERSUS
STATE OF MAHARASHTRA

...
Advocate for Applicant : Mr. Joydeep Chatterji, Advocate
h/f Mr. Vibhute Sunil M.
APP for Respondent: Mrs. M. A. Deshpande.

CORAM: T. V. NALAWADE, J.
DATED: 30th JANUARY, 2015.

PER COURT:

1. The application is filed for anticipatory bail. Both the sides are heard. This Court has perused the papers of investigation.
2. It appears that there a dispute over the control of one educational institution which runs Adarsh Vidhyalaya Shikshan Samiti Manatha. The dispute is pending in the office of Charity Commissioner. Elections to the managing committee were recently held and the incident in question took place after that election.

3. The report is given by one Amol Shinde. He has made allegations that on 4th December, 2014 the incident in question took place. Initially, after 09.45 a.m. present applicant and some persons from his side entered the campus of the school and they picked up quarrel. Allegations are made that after some time when the complainant and the persons of his side like Gajanan Patange, were returning, another incident took place outside the campus. Allegations are made that in that incident, the present applicant gave blow of a stick to Gajanan Patange. There are allegations of use of sword as against Hambarde. The Police papers contain one injury certificate in respect of Amol. He sustained CLW caused by sharp object over left eyebrow. He sustained blunt injury over abdomen and on back. There are no allegations against the present applicant.

4. As against the aforesaid record, there is record of report given by the present Applicant. He gave report to the police on 13th December, 2014 and on the basis of that report the crime is registered for offence under section 326, 294, 323, 34 etc. of I.P.C. against Amol and others. The record shows that the present applicant was admitted in the private hospital for the period from

4th December, 2014 to 15th December, 2014. He had sustained injury to head which had caused minimal post traumatic subarachnoid hemorrhage. Thus, the report was given first in time by the present applicant. It appears that Amol gave private complaint on 23rd December, 2014 and on the basis of direction given to investigate, by J.M.F.C., the crime against the present applicant came to be registered on 8th January, 2015.

5. Present applicant is working as a teacher in the same school and his father was involved in the management of the school. The father of the applicant is real brother of the complainant. In view of this circumstance and the nature of allegations made against the present applicant, this Court holds that protection needs to be given to the applicant.

6. In case of his arrest in C.R. No. 4 of 2015, registered in Manatha Police Station, Nanded, for offence under section 307, 34 etc. of I.P.C. he is to be released on bail on his furnishing P.R. & S.B. of Rs.15,000/-.

7. He is not to tamper with the prosecution witnesses. He is not to commit similar offence. He is to attend the concerned police station on every Sunday between 09.00 a.m. and 12.00 noon for a period of one month

from today and he is to cooperate with the police during investigation.

[T. V. NALAWADE, J.]

Dt.30/01/2015
ans/314