

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY.
BENCH AT AURANGABAD.
Criminal Appellate Jurisdiction.**

CRIMINAL APPLICATION NO. 3625 OF 2015.

NAMDEV S/O SHIVRAM SAWANT.
VERSUS
THE STATE OF MAHARASHTRA. AND ANOTHER

Appearance =>

Mr. Ajay T. Kanawade, Advocate for the Applicant.

Mr. V.H. Dighe, Additional Public Prosecutor for the State of Maharashtra.

CORAM : V.M. Deshpande, J.

DATE : 23rd July, 2015.

Per Court :-

Present Criminal Application is filed by the Applicant for grant of anticipatory bail, since he is apprehending his arrest in connection with CR No.I 70/2015 registered with Police Station, Sonai, Taluka – Newasa, District - Ahmednagar for the offences punishable under Section/s. 324, 452, 143, 147, 323, 504, 506 of the Indian Penal Code and under Section 4 read with 25 of Arms Act and under Section 37(1)(3), 135 of Bombay Police Act.

[2] Heard Mr. Ajay T. Kanawade, learned counsel for the Applicant and Mr. V.H. Dighe, learned Additional Public Prosecutor for the State.

[3] In the incident dated 27th April, 2015, two different First Information Reports are lodged. Present Applicant, who is the accused in CR No. I 70/2015, is claiming anticipatory bail. First Information Report No. 71/2015 is filed by Mohan Shivram Sawant.

[4] According to the First Information Report, role ascribed to the present Applicant is that he has assaulted the first informant and his brother Sanjay by means of iron bar however, injury certificate of First Informant Mohan Sawant shows that, there is no corresponding injury to the iron rod. In so far as injury to Sanjay is concerned, it is simple in nature.

[5] Looking to the fact that cross complaints are filed and nature of injuries, I think, this is a fit case, where-in discretion can be exercised in favour of the Applicant however, by imposing certain conditions. That leads me to pass the following order :-

ORDER

(i) Criminal Application is allowed.

(ii) In the event of arrest, Applicant - NAMDEV S/O SHIVRAM SAWANT shall be released on anticipatory bail on he executing PR. Bond of Rs. 10,000/- [Rs. Ten Thousand.] with one solvent surety in the like amount, in connection with CR No.I 70/2015 registered with Police Station, Sonai, Taluka – Newasa, District - Ahmednagar for the offences punishable under Section/s. 324, 452, 143, 147, 323, 504, 506 of the Indian Penal Code and

under Section 4 read with 25 of Arms Act and under Section 37(1)(3), 135 of Bombay Police Act.

(iii) The Applicant shall attend the Police Station, Sonai, Taluka – Newasa, District - Ahmednagar once in a week, preferably on every Sunday, between 2.00 p.m. to 5.00 p.m, till charge sheet is filed.

(iv) With this Criminal Application is allowed and same is disposed of, accordingly.

(V.M. DESHPANDE, J.)