

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO.60 OF 2015**

Ambanna Nigappa Rampure	Applicant.
Versus	
The State of Maharashtra	...Respondents.

**WITH
ANTICIPATORY BAIL APPLICATION NO.59 OF 2015**

Nagnath Sangappa Rampure	...Applicant.
Versus	
The State of Maharashtra	...Respondent.

Mr. Vikrant V. Phatate, advocate for the Applicant in ABA No.60/2015.
Mr. Vikrant V. Phatate with Mr. V.V.Purwant, advocates for the applicant in ABA No.59/2015.
Mr. Arfan Sait, APP for the respondent-State.
I.O. Mr. N.K.Nanaware, API attached to Vansang P. Stn. Solapur, Gramin present.

CORAM : MRS. MRIDULA BHATKAR, J.

DATED : March 24, 2015.

P.C.:

The applications are moved for pre-arrest bail as the applicants-accused are facing charges under Sections 307, 323, 336, 327, 143, 147, 148, 149, 452 of the IPC. The case was registered at the instance of one Mahavir Phulchand Mirakhor at C.R.No.261 of 2014 at Valsang police station, Solapur (Gramin) on 15.10.2014.

2 The group of the accused and the group of the complainant, which were hostile due to the political issues had fight amongst them and the applicant-accused Ambanna Rampure in ABA No.60 of 2015 was armed with stones or bricks entered the house of the complainant and assaulted the complainant and his associates. The applicant-accused Nagnath Rampure in ABA No.59 of 2015 was armed with iron pipe and he assaulted Bhagyesh Mirakhor on his head and right hand. Hence, Bhagyesh was shifted to ICU. In the scuffle somebody took away gold bracelet belonging to one Gangamati. .

3 The learned counsel for the applicants-accused submitted that there is a cross case between the two groups. One Prakash Rampure from the group of the accused persons has given criminal complaint to Valsang Police Station on the same day and on the basis of information, C.R.No.162/2014 was registered against the complainant and his associates. It is submitted that Ambanna got married one month back. The learned counsel submits that there are no criminal antecedents against the applicants-accused.

4 The learned prosecutor opposed the bail applications. There are injury certificates. He relies upon the injury certificates of Bhagyesh and others. He submitted that Bhagyesh was brutally beaten up and he

sustained nearly 8-9 injuries. Two injuries were on his head. However, he confirms that there are no criminal antecedents against the applicants-accused.

5 Perused the injury certificate. It does not disclose whether there is grievous hurt or any fracture sustained by Bhagyesh or not. The incident shows that there are cross complaints filed against each other by two warring groups due to the political rivalry. There are no criminal antecedents against the applicants-accused and moreover, Ambanna is newly married. Considering these facts, I am inclined to grant pre-arrest to both the applicants-accused on the following terms:

- i) In the event of arrest, the applicants/accused shall be released on bail upon furnishing P.R. Bond in the sum of Rs.20,000/- each , with one or two sureties in the like amount;
- ii) The applicants-accused shall not indulge into any criminal activity with the complainant or any associate of the complainant.
- iii) The applicants-accused shall not pressurize the witnesses and create any terror.

iv) The applicants-accused shall attend the concerned police station on every Tuesday and Friday between 5 pm to 6 pm till 30th April, 2015 or if the charge-sheet is filed whichever is earlier.

(MRS.MRIDULA BHATKAR, J.)