

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL ANTICIPATORY BAIL APPLICATION NO. 114 OF 2015

1 Satyawan Devrao Farad.
2 Ankush Dharma Farad.
3 Arun Muralidhar Farad.
4 Pandurang Shrimant Farad. ... Applicants.
Versus
The State of Maharashtra. ... Respondent.

Mr. Aniket U. Nikam, , advocate for Applicant.

Mr. A.S. Shitole, APP for State.

CORAM : SMT.SADHANA S. JADHAV,J
DATE : FEBRUARY 10, 2015

P.C.:

1 Heard the learned Counsel for the applicants and the learned
APP for State. Perused the papers.

2 This is an application under Section 438 of the Code of Criminal
Procedure, 1973. The applicants herein are apprehending their arrest
in Crime No. 72 of 2014 registered at Madha Police Station for

offence punishable under Section 325, 324, 143, 147, 148, 149, 504, 506 of the Indian Penal Code.

3 The complainant has alleged that on 7/11/2014 at about 11.30 a.m. present applicants alongwith 15 others had mounted assault upon them with iron pipes and other deadly weapons and had questioned him his act of filing the complaint against them. It is alleged that the brother of the complainant namely Maruti More has also sustained fracture on his legs due to assault.

4 Perused the papers of investigation, more particularly, medical certificate of the complainant as well as Maruti More.

5 Perused the medical papers. Medico-Legal Certificate of Maruti More shows that he has sustained CLW over right tibia, swelling tenderness and the movement was painful and restricted. The same has been described as grievous injuries. The second injury is a fracture wound over tibia, swelling tenderness which is again grievous

injury. There is no fracture. Bhagwan More had sustained abrasion over right leg, swelling tenderness and on the left leg which are also described as grievous injury by Dr. Vijay Kumar Londhe.

6 The learned Counsel submits that there are in all 18 accused persons. 14 accused have been enlarged on bail. No specific role is attributed to the present applicant. The applicant No. 1 is about 55 years old whereas the applicant No. 3 is 59 years old. They are all agriculturist.

7 Taking into consideration the papers of investigation and the submissions advanced, the interim relief granted in favour of the applicants vide order dated 23/1/2015 deserves to be confirmed.

8 The observations made hereinabove are prima facie in nature. The same shall not be considered at the time of deciding application for discharge or application for quashing of FIR or at the time trial.

9 Hence following order is passed.

ORDER

- (i) The application is allowed.
- (ii) In the event of arrest in Crime No. 72 of 2014 registered at Madha Police Station, the applicants be enlarged on bail on furnishing P.R. Bond in the sum of Rs. 15,000/- each and one or two sureties in the like amount.
- (iii) The applicants shall report to the concerned police on four consecutive Sundays commencing from 15/2/2015 and cooperate with the investigating agency to the best of their capacity.

10 The application is disposed of accordingly.

(SMT. SADHANA S. JADHAV,J)