

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO. 225 OF 2015

Swapnil Shrikrishna Gajdhane	...	Applicant
vs.		(Orig. accused)
The State of Maharashtra	...	Respondents

Mr. Vikarat V. Phatale. Advocate for the applicant
Mrs. Veera Shinde, APP, for the respondent-State.

CORAM: SMT.SADHANA S.JADHAV,J.
DATE : 24th February, 2015.

P.C.

Heard. This is an application under Section 438 of the Code of Criminal Procedure, 1973. The applicant herein is apprehending his arrest in Crime No.237 of 2015 registered at Jodbhavi Police Station, Solapur, for the offences punishable under Sections 143, 149, 324, 323 and 327 of Indian Penal Code.

2. It is the case of the prosecution that on 22.12.2014, Ganesh Kisan Patole lodged a report at the Jodbhavi Peth Police Station alleging therein that prior to two weeks of 22.12.2014, there was a verbal altercation between one Sonya Gajdhane and the complainant. One Swapnil Sarwade had

intervened and pacified both of them. It is alleged that on 22.12.2014, Sonya accosted the complainant and had enquired about the identity of the boys who had abused them at Gajar Vasti. On the said count, there was an altercation again between both the groups. It is alleged that the present applicant had assaulted Swapnil Sarvade with a fighter. It is also alleged that a golden chain of Swapnil was lost in the said altercation.

3. Perused the papers of investigation, more particularly the medical certificate. It prima facie appears that the injured Swapnil had sustained blunt trauma. There was no evident fracture. The applicant does not have any criminal antecedents. The motive for assault is trifle in nature. In view of this, the applicant has made out a prima facie case for grant of pre-arrest bail.

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

ORDER

(i) The application is allowed. In the event of his arrest, the

applicant be enlarged on bail on furnishing P.R.Bond in the sum of Rs.15,000/- with one or two sureties in the like amount.

(ii) The applicant shall report to the concerned police station as and when called.

Application stands disposed of.

(SMT.SADHANA S.JADHAV, J.)