

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

BAIL APPLICATION NO.699 OF 2015

Vishal Chandrakant @ Suryakant Otari ... Applicant

Vs.

The State of Maharashtra ... Respondent

a/w

BAIL APPLICATION NO.700 OF 2015

Sunil Shriram Ingale & ors. ... Applicants

Vs.

The State of Maharashtra ... Respondent

AND

BAIL APPLICATION NO.723 OF 2015

Akshay Dhanaji Jadhav & anr. ... Applicants

Vs.

The State of Maharashtra ... Respondent

Mr.V.V. Purwant for the Applicant in BA/723/2015

Mr.V.R. Gaikwad for Applicant in BA/699/2015 and BA/700/2015

Mr.J.H. Ramugade, APP, for Respondent – State

Mr.D.R. Atigve, PSI, Aundh police station, Satara – present

CORAM: MRS.MRIDULA BHATKAR, J.

DATE: APRIL 8, 2015

P.C.:

1. All these bail applications are taken together as they are related to the same incident. The Investigating Officer is present. The applicants/accused are facing charges under sections 307, 141, 143, 147 148, 149, 324, 326 and 337 of the Indian Penal Code and under section 37(1)(3) and 135 of the Mumbai Police Act. The crime was registered at C.R. No.12 of 2015 with Aundh Police station, Satara at the instance of one Maya Sudhir Thorat. The incident of assault has taken place on 13.2.2015. The applicants/accused alongwith the co-accused assaulted the son of the informant with hockey stick and sword. Her son Akshay received injuries to head and right hand. The assailants assaulted the informant. Also one Anees Shaikh was injured in the assault. They all were arrested on 16.2.2015 and are in custody since then. Hence, these applications for bail.

2. The learned Counsel for the applicants/accused submitted that the applicants are innocent. There is a cross complaint as there was a fight between two groups. One Sachin Nandkumar Shinde, one of the applicants/accused, had given information to the police pursuant to which the criminal complaint was registered at C.R. No.13 of 2015 with the Aundh police station against the injured persons and their associates. The applicant therefore prays for bail.

3. Learned Prosecutor opposes the applications. He submits that the applicants/accused were armed with weapons. He relied on the injury certificates of Akshay, Maya and Anees.

4. Perused the FIR as also the injury certificates. There are cross complaints. Both the groups fought with each other. There is no fracture. Considering the period of imprisonment of the applicants/accused, the applications are allowed on the following terms and conditions:

- i) The applicants/accused are released on bail upon furnishing P.R. Bond in the sum of Rs.15,000/- each, with one or two sureties in the like amount;
- ii) The applicants shall not tamper with the evidence;
- iii) The applicants shall not indulge into any kind of offence and especially with the injured and the complainant, while on bail;
- iv) The applicants shall attend on all the Court dates.

5. Bail applications are disposed of on the above terms.

(MRS.MRIDULA BHATKAR, J.)