

Vidya Amin

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO. 884 OF 2015

Baba Hariba Jadhav	... Applicant
Vs.	
The State of Maharashtra	... Respondent

Ms. Manisha Arjun Devkar, Advocate for the applicant.
Mr. S.S. Pednekar, APP for the respondent/State.

CORAM: **MRS.MRIDULA BHATKAR, J.**
DATE : **JULY 7, 2015**

P.C.:

This Application is moved for pre-arrest bail, as the applicant/accused is facing charges under sections 324 of the Indian Penal Code in C.R. No. 61 of 2015 registered with Mhaswad Police Station, Taluka Man, District Satara. Pratap Ramchandra Mane, son of Ramchandra Mane, has given the complaint against the applicant that his father was assaulted by the applicant, as the family was having dispute over land issue.

2. The learned counsel for the applicant/accused has submitted that there is a cross complaint filed by Mrs. Sindhu Suresh Gaikwad, daughter of the applicant/accused on 16th May, 2015 and FIR was registered at C.R. No. 62 of 2015 with Mhaswad Police Station. The applicant/accused was also injured and he sustained four grievous and two simple injuries.

Ramchandra Mane was aggressive while attacking applicant/accused. Hence, the applicant/accused be granted pre-arrest bail.

4. Learned APP, while opposing this Application, relied on the FIR, injury certificate of the applicant/accused and also the complaint filed by his daughter and the statement of witnesses.

5. Perused the FIR, injury certificate and statements of the witnesses. So also perused the cross complaint at C.R. No. 62 of 2015 where the offence is registered under section 307, 304, 506 of the Indian Penal Code. Undoubtedly, the applicant/accused has sustained grievous injuries. Considering the injury certificate and the FIR as it a cross complaint, I am inclined to grant pre-arrest bail to the applicant/accused on the following terms and conditions:

ORDER

- i) Application is allowed.
- ii) In the event of arrest, the applicant/accused shall be released on bail upon furnishing P.R. Bond in the sum of Rs.20,000/- with one or two sureties in the like amount;
- iii) The applicant shall not tamper with the evidence and shall not pressurize the complainant and his relatives;
- (iv) The applicant shall not indulge into similar type of offence, while on bail;

(v) The applicant shall cooperate with the Investigating officer and attend the concerned police on 21st July, 2015 and 28th July, 2015 between 4 p.m. to 6 p.m.;

(vi) Violation of any of above conditions shall amount to cancellation of pre-arrest bail.

6. Anticipatory Bail Application stands disposed of.

(MRS.MRIDULA BHATKAR, J.)