

Vidya Amin

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO. 1132 OF 2015

1. Mahesh Rupsing Bhat
@ Mahesh Amaru Bagade
 2. Sandesh Subhash Bagadekar @ Bagade ... Applicants
- Vs.
- The State of Maharashtra ... Respondent

Mr. Shekhar A. Ingawale, Advocate for the applicants.

Mrs. R.V. Newton, APP for the State.

P.C. 2/1102 Mr. S.M. Kabir, Shirolu MIDC Police Station present.

CORAM: **MRS.MRIDULA BHATKAR, J.**

DATE : **AUGUST 10, 2015**

P.C.:

This Application is moved for pre-arrest bail, as the applicants/accused are apprehending arrest under sections 143, 147, 148, 149, 341, 395, 504, 323, 427 of the Indian Penal Code in C.R. No. 57 of 2015 registered with Shirolu Police Station, Kolhapur. Except section 395, all other sections are bailable.

2. It is the case of the prosecution that at the instance of one Ranjeet Gopinath Gagade, Investigating officer in one company which is working for the purpose of verification of insurance claims. The persons who are indulged into creating bogus documents for false insurance policies were hostile with him and other officers. On 29th May, 2015 when he was travelling along with Mr. Rajesh Javalkar by car to Gadmudshingi at Kolhapur, both the applicants/accused along with co-accused attacked

them. They abused and assaulted them with fist blows and kicks. They damaged the car of the complainant with stones and robbed the cash of Rs.3,000/- and his ATM Card. Thereafter, the complaint was given and offence was registered.

3. The learned counsel for the applicants/accused has submitted that the applicants/accused have not committed any offence. Applicant no. 1 is disabled and his one leg is amputated. The offence of robbery is not attributed to the applicants/accused. The applicants/accused have no criminal antecedents. Hence, they be protected by pre-arrest bail.

4. Learned APP opposed the Application. She relied on the complaint and the injury certificates of complainant and other injured person. She submitted that the complainant and other injured person are Investigating officer and director in the Insurance Company and they knew the applicants/accused as assailants.

5. Perused the FIR, papers produced before the Court, injury certificates of complainant Ranjit and Rajesh Javalkar. There is one injury on body of both the persons and the injuries sustained are simple in nature. There are no criminal antecedents in the credit of applicants/accused. In view of this, the applicants/accused are granted pre-arrest bail on the following terms and conditions:

ORDER

- (i) In the event of arrest, the applicants/accused be enlarged on bail on furnishing P.R. Bond in a sum of Rs.20,000/- each with one or two sureties in the like amount.
 - (ii) The applicants shall not tamper with the evidence.
 - (iii) The applicants shall not threaten or pressurize the complainant and other witness.
 - (iv) The applicants shall not indulge into any kind of criminal activity.
 - (iv) The applicants shall cooperate with the investigating officer and attend the concerned police station on every Thursday between 5 p.m. to 7 p.m. till the filing of the charge sheet.
6. The Anticipatory Bail Application stands disposed of on above terms.

(MRS.MRIDULA BHATKAR, J.)