

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

ANTICIPATORY BAIL APPLICATION NO. 1317 OF 2015

1. Mr. Rajesh Maruti Sule ... Applicants.
2. Mr. Omkar Vivek Bedake

V/s.

The State of Maharashtra ... Respondent.

Mr. V. V. Purwant, Advocate for the Applicants.

Mr. S. H. Yadav, A.P.P. for the Respondent - State.

API -M.B.Deshmukh, Umbraj Police Station, Satara, is present.

CORAM : REVATI MOHITE DERE, J.

DATE : 15th SEPTEMBER, 2015

P.C. :

1 Heard learned counsel for the applicant and the learned APP for the State.

2 By this application, the applicants seek pre-arrest bail in connection with C.R. No. 43 of 2015 registered with the Umbraj Police Station, Satara, for the alleged offences punishable under Sections 307, 143, 147, 149, 325, 336, 323 504 r/w. section 34 of the Indian Penal Code and under Section 37(1) (3) r/w. 135 of the Bombay Police Act.

3 The incident in question has taken place on 8th March, 2015. Pursuant to the incident of assault, the complainant-Rashik Khudbuddin Atal, has lodged the aforesaid

CR as against 15 known persons and 15 to 20 unknown persons.

4 Learned counsel for the applicants states that although the applicants have been named in the FIR, there is no overt-act attributed to them. He submits that with respect to the same incident there is a cross complaint which has been filed by Rajendra Laxman Kulhade, which was registered with the Umbraj Police Station, Satara, vide CR No. 44 of 2015, for the alleged offences punishable under sections 324 etc., of the Indian Penal Code. He submitted that the applicants are 19 years old and are students, studying in college. He relied on documents in support thereof.

5 Learned APP has produced the injury certificate of Firoz Saudagar Jalil. It appears that the said Firoz Saudagar Jalil was admitted in the Ruby Hospital on 9th March, 2015 as he had sustained multiple CLWs' on the right and left side of the skull and the injuries are stated to have been possibly caused by hard and blunt object. Similarly, the injury certificate of Mansoor Kureshi Shamshuddin also reveals that he has sustained injuries on the occipital region and back.

6 Be that as it may, although the applicants have been named in the FIR, it appears that no specific overt-act has been attributed to them. The applicants are aged 19 years

and are students, studying in colleges. The applicants have no antecedents.

7 Considering the nature of allegations and the alleged role played by the applicants and the fact that they are students, aged 19 years, the applicants are granted pre-arrest bail on the following terms and conditions :

ORDER

(i) In the event of the arrest, the applicants be enlarged on bail on furnishing P.R. Bond in the sum of Rs.10,000/- each with one or two sureties in the like amount ;

(ii) The applicants shall attend the concerned Police Station as and when called.

(iii) The applicants shall not tamper or attempt to influence the complainant, witnesses or any person concerned with the case.

8 The application is disposed of accordingly.

All concerned to act on the authenticated copy of this order.

(REVATI MOHITE DERE, J.)

CERTIFICATE

*Certified to be true and correct copy of the original
signed order.*
