

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**  
**CRIMINAL APPELLATE JURISDICTION**  
**CRIMINAL ANTICIPATORY BAIL APPLICATION NO.1577 OF 2015**

Balu @ Balaso Appaso Mangave

..Applicant

v/s.

The State of Maharashtra.

..Respondent

Mr. Sandeep S. Koregave for the applicant.

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

Mr. Shatinath Babu Hundarke, ASI Shirol MIDC police station is present.

**CORAM : SMT. ANUJA PRABHUDESSAI, J.**

**DATED : NOVEMBER 26, 2015.**

**P.C.**

. This is an application for anticipatory bail filed by the aforesaid applicant apprehending his arrest in C.C.No.34 of 2014 pending on the file of JMFC, Wadgoan.

2. Heard Mr. Koregave, learned Counsel for the applicant, and the learned APP for the State.

3. I have considered the submissions advanced by the learned counsel for the applicant and the learned APP for the State, and perused the records. The records prima facie reveal that on

12/11/2012 the farmers had called an agitation to meet their demand of sugarcane price. The said agitation took a violent turn and led to pelting of stones and causing injuries to the police officers constables. One of the police officers viz. Mohan Pawar, Assistant sub-inspector had sustained injuries in the said incident. Pursuant to the complaint lodged by PSI Vikas S. Jadhav Crime No.121/2012 came to be registered against the applicant and 54 others for offence punishable under section 307, 395, 336, 353, 332, 324, 323, 435, 341, 427, 143, 147, 148 and 149 of IPC.

4. The said officer was admitted in the hospital and was discharged on 15/11/2012. He succumbed to the injuries on 9/2/2014. The post mortem report reveals that the deceased succumbed to the head injuries which were sustained in the said incident. In view of this development section 302 came to be added. The case has been investigated and charge-sheet has been filed before the Learned Magistrate, Wadgoan. The investigating Agency had not felt the necessity to arrest the applicant even after the death of said Mohan Pawar. The investigation having been completed and charge-sheet having been filed, I do not find any reason to decline bail to the applicant. Moreover the applicant is a permanent resident of Kolhapur and there are no chances of his absconding or thwarting the

course of justice. In the light of the above facts and circumstances the applicant is entitled for bail. Hence, the anticipatory bail application is granted on the following terms.

i) In the event of the arrest of the applicant in C. C. No.34 of 2014, the applicant be released on furnishing bail bond of Rs.25,000/- (Rupees Twenty-five Thousand Only) with one or two solvent sureties in the like amount, to the satisfaction of the learned JMFC, Wadgoan.

ii) The applicant shall appear before the Trial Court as and when called.

**(ANUJA PRABHUDESSAI, J.)**