

IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO.1932 OF 2015

|                             |     |            |
|-----------------------------|-----|------------|
| Shri Pravin Dattatray Rawal | ... | Applicant  |
| Vs.                         |     |            |
| The State of Maharashtra    | ... | Respondent |

Mr. Kedar Patil, Adv. a/w. Ms. Trupti A Bharadi, Adv. for the applicant.

Mr. Y.M. Nakhawa, APP for the State.

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

**DATE : 22<sup>nd</sup> December, 2015.**

**P.C. :**

1. This is an application for anticipatory bail filed by the aforesaid applicant apprehending his arrest in Crime No.125 of 2015 registered with Shahapur Police Station, Ichalkaranji for offences punishable under Sections 143, 147, 148, 149, 307, 324, 323, 504 & 506 of the IPC.

2. The allegations against the applicant are that on 5<sup>th</sup> November, 2015 at about 8.30 to 9.30 a.m., the applicant along with other co-accused formed an unlawful assembly and inflicted injuries on Nilesh Patil, complainant, Yogesh Murumkar and Prakash Gilbale by knife and thereby attempted cause their death.

3. Heard Mr. Kedar Patil, the learned counsel for the applicant. He submitted that the FIR does not prima facie indicate that the applicant herein was involved in inflicting injuries on the complainant and other two injured persons. He has further submitted that the applicant has also lodged cross complaint against the complainant and others. He has submitted that this is not a fit case for custodial interrogation therefore the applicant is entitled for bail.

4. Mr. Nakhawa, the learned APP for the State submits that the applicant was involved in instigating the other persons who inflicted injuries on the complainant and others. The learned APP further submitted that the applicant has criminal antecedent and thereby not entitled for bail.

5. I have perused the records and considered the submissions advanced by the learned counsel for the applicant and the learned APP for State. The records prima facie reveal that one Vishal Hattikatti was assaulted by the complainant and others. Said Vishal was allegedly working for the applicants. The said incident of assault led to an altercation between the applicant and the complainant and others. The records further reveal that on the same date at about

8.30 a.m. the applicant herein had criminally intimidated the complainant and thereafter at about 9.30 am about 13 to 14 persons had assembled and assaulted the complainant, Yogesh Murumkar and Prakash Gilbile. The records prima facie reveal that the complainant was assaulted by Ajit Naik, whereas Yogesh Murumkar was assaulted by Mithu Shaikh and Prakash was assaulted by Ajit Naik. The records do not prima facie indicate that the applicant herein had inflicted any injuries on the complainant and / or the other two injured. Considering this fact, the applicant is entitled for bail.

6. Under the circumstances, in my considered view, the application is granted under the following terms and conditions.

1. In the event of arrest of the applicant in Crime No.125 of 2015 registered with Shahapur Police Station, Ichalkaranji, the applicant shall be released on bail bond of Rs.25,000/ (Rupees Twenty Five Thousand Only) with one or two sureties in the like amount to the satisfaction of the JMFC, Ichalkaranji.
2. The applicant shall report to investigating officer for 7 days from 10 am to 2 pm from the receipt of this order and further as and when required by the investigating officer for the

purpose of the interrogation.

3. The applicant shall not leave Kolhapur district till filing of the chargesheet without prior permission of JMFC, Ichalkaranji.
4. The applicant shall not interfere with the complainant or witnesses and shall not tamper with evidence in any manner.

**( ANUJA PRABHUDESSAI, J. )**