

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL BAIL APPLICATION NO. 33 OF 2015

Anil Ashok Pawar ... Applicant.
Versus
The State of Maharashtra. ... Respondents.

Mr. S.V.Kotwal i/b. Avinash Kamkhedkar, for the Applicant.

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

CORAM : SMT.SADHANA S. JADHAV,J
DATE : FEBRUARY 23, 2015

P.C.:

1 Heard the learned Counsel for the applicant and the learned APP for State. Perused the papers.

2 This is an application under Section 439 of the Code of Criminal Procedure, 1973. The applicant herein is arrested on 4/6/2014 in Crime No. 164 of 2014 registered at Sangvi Police Station for offence punishable under Sections 307,427, 341, 324, 143, 147, 149, 336 of the Indian Penal Code. Investigation is completed and charge-sheet is filed in August, 2014.

2 It is the case of the prosecution that on 21/4/2014, Amar Vijay Kedari lodged a report at the police station alleging therein that on 28/4/2014 his friend Aditya has called him in his house. They had been to Pimpri for having tea and then to meet their friend Sandiv. When they were at Pavaneshwar tea stall, they were apprehended by two persons who had come on two wheeler. The applicant was one of them. Without there being any reason, the applicant had allegedly assaulted the complainant and his associate. It is alleged that the present applicant had assaulted the complainant with a sickle on the dorsal side of his right hand. He had sustained injuries. After the incident, they had also pelted stones.

3 The learned Counsel submits that the applicant has been in jail for last 8 months. Investigation is completed and charge-sheet is filed. There are no criminal antecedents. In view of this, the applicant has made out a case for grant of bail.

4 The observations made herein are prima facie in nature. The

same shall not be considered while deciding the application for discharge or for quashing of FIR or at the time of trial.

5 Hence, following order is passed :

ORDER

(i) The application is allowed.

(ii) The applicant be enlarged on bail on furnishing P.R. Bond in the sum of Rs. 15,000/- and one or two sureties in the like amount.

6 The application is disposed of accordingly.

(SMT. SADHANA S. JADHAV,J)