

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO. 270 OF 2015

1. Dayanand Pandurang Shinde)
2. Pandurang Haridas Shinde)Applicants
vs.
The State of Maharashtra ... Respondents

Mr.Ritesh Thobde, Advocate for the applicants.
Mrs.P.P.Shinde, APP, for the respondent-State.

CORAM: SMT.SADHANA S.JADHAV,J.
DATE : 27th February, 2015.

P.C.

Heard. The applicants herein are apprehending their arrest in Crime No.26 of 2015 registered at Foujdar Chawdi Police Station, Dist. Solapur, for the offences punishable under Sections 326, 143, 147, 148, 149,504 of Indian Penal Code.

2. It is the case of the prosecution that on 27.1.2015, Mahadev Bhosale resident of Manohar Nagar slum area lodged a report at the Police station alleging therein that on 27.1.2015, at about 8.30 a.m., his mother informed him that Lakhan Pawar is standing near the house of the complainant along with his some friends inspite of the fact that he had been warned earlier not to visit the area with

his friends. The complainant had questioned Lakhan Pawar about the same. At that time, there was an altercation. In the said altercation, Lakhan Pawar and Dayanand Shinde i.e. the applicant had assaulted the complainant with fist and kick blows. It is specifically alleged that the applicant had punched upon the chest of the complainant with a fist blow. Thereafter, Vaibhav Shinde, who had conceded the knife in his pocket had brandished the same and thereafter had assaulted the complainant.

3. Perused the medical case papers and statements of witnesses. There is no allegation against the present applicants that they had wielded any weapon towards the complainant nor had caused any grievous hurt voluntarily with means of any weapon or any article which could be used as a weapon. In view of this, the applicants are entitled to grant of pre-arrest bail.

4. However, it is made clear that the observations made hereinabove are prima facie in nature and shall not be considered for the purpose of quashing of FIR, discharge application or at the time of trial.

ORDER

(i) In the event of their arrest, the applicants be enlarged on bail on each furnishing P.R. Bond in the sum of Rs.15,000/- with one or two sureties in the like

amount.

(ii) The applicants shall report to Foujdar Chawdi Police Station as and when called.

(iii) The applicants shall not reside within the jurisdiction of Budhwar Peth Police Station for a period of four weeks from today.

Application is allowed and disposed of.

(SMT.SADHANA S.JADHAV, J.)