

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO.786 OF 2015

Subhash K. Zambare

... Applicant

Vs.

The State of Maharashtra

... Respondent

Mr.C.G. Patil for the Applicant

Mr.J.H. Ramugade, APP, for Respondent – State

Mr.D.M. Gaikwad, PSI, Juna Rajwada police station – present

CORAM: **MRS.MRIDULA BHATKAR, J.**

DATE: **JUNE 16, 2015**

P.C.:

1. The applicant/accused apprehends arrest in C.R. No.81 of 2015 registered with the Juna Rajwada police station for the offences punishable under sections 307, 323, 504 r/w 34 of the Indian Penal Code. There is a counter case against the complainant.
2. The learned Counsel for the applicant/accused has submitted that this applicant/accused, as per the allegations in the complaint, was holding revolver. He did not fire at anybody. He submitted that thus, there is no offence under section 307 of the Indian Penal Code. For that purpose, he relied on the explanation as contained in illustration C in section 307 of the Indian Penal Code.

3. The learned Prosecutor has opposed the application and he relied on the injury certificate of the injured persons, the complainant and his associates.
4. Considering the allegations made against the applicant/accused and the act attributed to him as also in view of the illustration C to Section 307 of the Indian Penal Code, and as there are no antecedents against the applicant/accused, I confirm the interim bail granted on 9.6.2015 on the same terms and conditions. However, the applicant/accused shall attend the concerned police station on every Thursday till 23.7.2015.
5. Anticipatory Bail Application is disposed of accordingly.

(MRS.MRIDULA BHATKAR, J.)