

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

BAIL APPLICATION NO.1190 OF 2015

Sunil Ramchandra Bhosale ... Applicant

Vs.

The State of Maharashtra ... Respondent

Mr.Vaibhav Gaikwad for the Applicant

Mr.Arfa Sait, APP, for Respondent – State

Mr.S.L. Jadhav, API, Satara Taluka police station – present

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

DATE: **JULY 31, 2015**

P.C.:

1. The application is moved for bail as the applicant is facing charges in C.R. No.120 of 2015 registered with Satara Taluka police station for the offences punishable under sections 307, 143, 147, 148, 149 of the Indian Penal Code. The incident of assault has taken place on 14.5.2015. There was dispute in respect of measurement of the land between Lahu Kadam and the family of one Gujar. In the evening of 14.5.2015, the applicant/accused alongwith his associates armed with weapons arrived at the house of the complainant, who is the wife of the injured. The applicant/accused and the co-accused started assaulting the injured Lahu Kadam with iron rod and sticks. He sustained many injuries. He fell down and thereafter he was taken to the hospital. The complainant screamed

and asked for help. At that time, the persons from the vicinity arrived, helped the injured. The applicant/accused and the other persons ran away. Thereafter, the complainant Sangeeta gave the information to the police and the applicant/accused was arrested on the same day i.e., 14.5.2015. Hence, this application for bail.

2. The learned Counsel for the applicant/accused submitted that the applicant/accused is innocent. He has no criminal antecedents to his credit. He is a permanent resident of Satara and he will not commit any offence hereafter if at all he is released on bail.

3. Learned Prosecutor has opposed the application. He relied on the statement of the witnesses, injured Lahu, complainant Sangeeta and so also medico legal certificate. He submitted that 11 injuries were sustained by the injured. One of the injuries is grievous in nature. The applicants/accused and the other accused persons arrived at the house of the injured armed with weapons. He submitted that the investigation is yet to be completed and also there is recovery of sword and iron rod.

4. Perused the FIR, the medico legal certificate. It appears prima facie that the incident has occurred and the complainant has sustained 11 injuries on his person. However, considering the documents which are produced before the Court and that a major portion of the investigation i.e., recording of the statements and recovery of weapons is complete,

and also as it is confirmed that there are no antecedents to the credit of the applicant/accused, I am inclined to grant bail on the following conditions:

- i) The applicant/accused shall be released on bail upon furnishing P.R. Bond in the sum of Rs.40,000/-, with one or two solvent sureties in the like amount;
- ii) The applicant shall not tamper with the evidence and shall not indulge into any kind of offence while on bail;
- iii) The applicant shall attend the concerned police station on every Tuesday between 11am to 1 pm, till the filing of the chargesheet.
- iv) The applicant shall stay away from the village Mauje Borne, Taluka Satara, for a period of two months i.e., till 15.9.2015.
- v) The applicant shall attend on all the Court dates.

5. Bail application is disposed of on the above terms.

(MRS.MRIDULA BHATKAR, J.)