

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

**ANTICIPATORY BAIL APPLICATION NO.859 OF 2015
WITH
CRIMINAL APPLICATION NO.501 OF 2015**

Prafulla Jaganath Pawar	... Applicant
vs.	
The State of Maharashtra	... Respondent

Mr. Prashant Patil, for the Applicant.
Mrs. R.V. Newton, APP for Respondent – State.
Mr. Satyavrat Joshi, for the Intervener in APPP No.501 of 2015.

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

DATE: **JULY 14, 2015**

P.C.:

. The application is moved for pre arrest bail by the applicant/accused as he is apprehending arrest in the offence punishable under Sections 307 and 504 of the Indian Penal Code in C.R. No. 100 of 2015 registered with Loni-Kalbhor police station, Pune. The offence is registered at the instance of one Pramod Goghe who was *Surpanch* of Koregaon-Mul.

2. It is the case of the prosecution that a Grampanchayat meeting was held on 20th March, 2015. During that meeting a question was raised by the applicant/accused in respect of the disbursement and use of fund which is specifically allotted for the work of SC/ST community. It led to verbal altercation. Suddenly there was scuffle between the informant and the applicant/accused. Then the other members of Grampanchayat intervened them and pacified both the parties. Thereafter, it was decided that in the next meeting this question can be looked into. Then everybody was about to go and the informant was doing some table-work, at that time, the applicant/accused took a flowerpot and assaulted the informant on his head. The complainant collapsed and blood started oozing from his injury. Thereafter, he was shifted to the Government hospital and treated there and the offence was reported. Hence, this pre arrest bail application.

3. The learned counsel for the applicant/accused has submitted that, the applicant/accused is the member of Grampanchayat and he also has given a complaint to the police. However, his complaint was not registered by the police but the

informant being *Sarpanch*, his complaint was registered. He submitted that thereafter on 23rd March, 2015 a complaint to the Superintendent of Police, Gramin was given. He further pointed out that the injury certificate of the applicant/accused disclosing two injuries i.e. Blunt Trauma to groin region and Blunt Trauma to chest and abdomen. He submitted that the applicant/accused was continuously protected by the Sessions Court.

4. The learned prosecutor and the learned counsel for the intervener both opposed the application. The learned prosecutor produced the injury certificate of the complainant. She relied on the statement of the witnesses who on assault supported the case of the complainant.

5. Perused the documents produced by both the parties. The injuries caused to the accused are nominal. The injury certificate of the complainant discloses that he had sustained greivous injury i.e. undisplaced fracture on the left parietal region. So also blunt trauma and clw on the left parietal region. *Prima facie* it corroborates the manner in which the assault was committed as mentioned in the first

information report. Considering this, it is not the case to grant pre arrest bail to the applicant.

6. Hence, the application for pre arrest bail stands rejected.

7. In view of the above, the intervention application also stands disposed of.

8. The learned counsel for the applicant prays for stay of the order as he want to challenge this order before the Hon'ble Supreme Court. Therefore the protection granted earlier to be extended by four weeks. The learned prosecutor and the learned counsel for the intervener both opposed this prayer of granting extension of protection.

9. In view of the above, the interim protection is extended by two weeks.

(MRS.MRIDULA BHATKAR, J.)