

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO.1059 OF 2015

Dilip Bhanudas Pandhare and Another ... Applicants

vs.

The State of Maharashtra ... Respondent

Mr. Kuldeep Patil i/b. Prashaant Hagare, for the Applicants.

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

IO. Mr. C.T. Jadhav (API), Walchandnagar police station present

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

DATE: **JULY 27, 2015**

P.C.:

. The application is moved for pre arrest bail as the applicants/accused are facing charges for the offences punishable under Sections 324, 337, 143, 147, 148, 149, 323, 504 and 506 read with 34 of the Indian Penal Code in C.R. No. 60 of 2015 registered with Walchandnagar police station, Pune. One Sachin Ranmode has given the complaint on 5th May, 2015 as the incident has taken place on the same day at around 7.30 pm at one hotel at Baramati-Hignewadi road.

2. Today is the first date. However, the investigating officer is present along with the papers and therefore the matter is taken up for hearing finally.

3. It is the case of the prosecution that when the complainant and his associates reached at the *dhaba* for food, at that time, the applicant/accused Dilip Pandhare who was riding a motor cycle rashly took his motor cycle near the complainant. So the complainant questioned him. At that time, they started assaulting the complainant. Thereafter, 5-6 associates of the complainant also joined the complainant and started questioning the applicant/accused and his associates. Then the associates of the applicant/accused came running from the hotel and there was a free fight between them and some persons got injured. Hence, this complaint.

4. The learned counsel for the applicant/accused has submitted that the applicant/accused also got injured in the incident and sustained grievous injury. However, the injury sustained by the complainant was because of a stone which was thrown by the co-accused Vijay Chavan. He further submitted that, co-accused Vijay

Chavan has granted pre arrest bail by the Sessions Court, Baramati on 21st July, 2015.

5. The learned prosecutor opposed the application. She relied on the injury certificates of Sachin Ranmode, Patangrao Ranmode and Swapnil Sawant.

6. Perused the first information report and the injury certificates. The injury certificate of Sachin Ranmode discloses that he had suffered grievous hurt to skull. The other witnesses have sustained simple injuries. The injury caused to Sachin Ranmode is due to a stone and the said stone is allegedly pelted by the co-accused Vijay Chavan. As per the submissions of the learned counsel for the applicant/accused, co-accused Vijay Chavan has granted pre arrest bail. On query, it is informed by the investigating officer that there are no antecedents against the applicants/accused. Hence, pre arrest bail is granted to the applicants/accused.

7. Hence, I grant anticipatory bail as under:

a) In the event of arrest, the applicants/accused be

enlarged on bail upon furnishing P. R. Bond in the sum of Rs. 20,000/- (Twenty Thousand) each with one or two solvent surety/s in the like amount;

b) The applicants/accused shall cooperate with the investigating officer and shall attend the concerned police station once in a week on every Thursday in between 5 pm to 7 pm till filing of the charge sheet.

c) The applicant/accused shall not indulge in any other criminal activity or pressurize the complainant.

8. Anticipatory bail application stands disposed of on the above terms.

(MRS.MRIDULA BHATKAR, J.)