

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL BAIL APPLICATION NO. 1544 OF 2015**

Avdhoot Mahadeo Suryavanshi	...Applicant
Versus	
The State of Maharashtra	...Respondent

Mr. Umesh R. Mankapure for the Applicant

Ms. Veera Shinde, A.P.P for the Respondent-State

CORAM : REVATI MOHITE DERE, J.
WEDNESDAY, 26TH AUGUST, 2015

P.C. :

1. Heard learned Counsel for the applicant and the learned A.P.P.
2. By this application, the applicant seeks his enlargement on bail in connection with C.R. No. 141 of 2015 registered with the Shivaji Nagar Police Station, Ichalkaranji, Kolhapur, for the alleged offences punishable under Sections 307, 323, 504 and 506 r/w 34 of the Indian Penal Code, 1870.
3. The complainant is one Jahangir Patekari. He has alleged that on 17th July, 2015, Mahadev Suryawanshi assaulted him with a koyta on his head and that the present applicant gave fist and kick blows. Although the present applicant has not been named in the said FIR, it is said that

Mahadev's second son assaulted him with fist and kick fist blows. It is pertinent to note that with respect to the same incident, the applicant's father Mahadev has also lodged a complaint/FIR which was registered vide C.R. No. 142 of 2015, alleging offences punishable under Sections 325, 307, 324, 323, 435, 427, 452, 341, 143, 147, 149, 504, 506 of the Indian Penal Code, 1870, under Section 135 of the Bombay Police Act and under Section 3(1)(x), 3(2), (3), 6 of the Scheduled Caste and Scheduled Tribes (Prevention of Atrocities) Act, 1989. In the said incident, Mahadev Suryawanshi had suffered grievous injury and the present applicant has sustained a fracture and his brother sustained simple injury.

4. The applicant has been in custody since his arrest. Considering the nature of allegation, the applicant is also entitled to be enlarged on bail on the following conditions:

ORDER

- (i) The applicant be released on bail in connection with C.R. No. 141 of 2015 registered with the Shivaji Nagar Police Station, Ichalkaranji, Kolhapur, on executing PR Bond in the sum of Rs. 15,000/- each with one or two sureties in the like amount;

- (ii) The applicant shall not tamper or attempt to contact any witness concerned with the case;
- (iii) The applicant shall inform his latest place of residence and mobile contact number immediately after being released and/or change of residence or mobile details, if any, from time to time to the Court seized of the matter and to the Investigating Officer of the Shivaji Nagar Police Station, Ichalkaranji, Kolhapur;
- (iv) The applicant to cooperate with the conduct of the trial;
- (v) The applicant shall attend the concerned Police Station on every Saturday between 10:00 a.m. to 12:00 noon till the filing of the charge-sheet;
- (vi) If there is a breach of any of the aforesaid conditions, the prosecution shall be at liberty to seek cancellation of the applicant's bail.

5. The aforesaid observations are *prima facie*, and the trial Court shall decide the case on its own merits, in accordance with law, uninfluenced by the observations made in this order.

6. The Application is allowed in the aforesaid terms and is accordingly disposed of.
7. All concerned to act on the authenticated copy of this order.

REVATI MOHITE DERE, J.