

Anand

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

ANTICIPATORY BAIL APPLICATION NO.1337 OF 2015

Bapu Rangnath Bhujbal .Applicant

v/s.

The State of Maharashtra .Respondent

Mr.Pawan Mali, Advocate, for the Applicant
Mrs.P.P.Shinde, APP, for the Respondent – State

CORAM : REVATI MOHITE DERE, J.

DATE : 07.09.2015

P.C.

. Heard learned counsel for the applicant
and the learned APP for the respondent – State.

2. By this application, the applicant
seeks pre-arrest bail in connection with C.R.No.
35 of 2015 registered with the Shikrapur Police
Station, Pune, for the alleged offences
punishable under Sections 307, 143, 147, 337,
354, 323, 504 & 506 of the Indian Penal Code,
1870.

3. The incident in question has taken place in a meeting of village panchayat at Kasari, Taluka - Shirur, District - Pune. According to the prosecution, the members of Grampanchayat of Kasari village had decided to move a no confidence motion against the Sarpanch and Deputy Sarpanch of the village. The date of voting was fixed as 06.02.2015. The police were also informed of the same as they apprehended some problem, as two political rival groups were to participate in the said meeting. It is alleged that suddenly, in the midst of the meeting, there was a verbal altercation between the two groups and some persons started pelting stones and assaulting each other. Persons from both the groups sustained injuries. Both parties lodged complaints/FIRs against each other. In the present C.R. i.e. C.R.No.35 of 2015, the complainant is one Ashok Raskar. There is another C.R., being C.R.No.36 of 2015 registered

with the same police station, by one Bapu Khandu Narke. The offences alleged in the said C.R. i.e. C.R.No.35 of 2015, are offences punishable under Sections 307, 143, 147, 148, 149, 337, 323, 504 & 506 of the Indian Penal Code. It also appears that the police who were present at the spot have also lodged an FIR as against all the persons i.e. both warring factions, which was registered vide C.R.No.37 of 2015.

4. Learned counsel for the applicant seeks bail on the ground of parity. He submits that similarly placed co-accused have been enlarged on bail by this Court (CORM : MRS.MRIDULA BHATKAR) vide order dated 27.03.2015. He submits that there is no specific overt act attributed to the present applicant. He submitted that in the present C.R., 33 accused have been charged for the aforesaid offences.

5. Learned APP does not dispute the fact that the present applicant has not committed any overt act and that similarly placed co-accused have been granted pre-arrest bail by this Court.

6. Perused the FIR and the order dated 27.03.2015. Admittedly, there are cross cases filed by both the parties with respect to the same incident. No specific overt act is attributed to the present applicant.

7. Considering the aforesaid facts, the applicant is granted pre-arrest bail on the following terms & conditions:

ORDER

(i) In the event of arrest, the applicant be enlarged on bail on his furnishing P.R.Bond in the sum of Rs.15,000/- with one or two solvent sureties in the like amount;

(ii) The applicant shall not tamper or attempt to contact the complainant or any witness concerned with the said case;

(iii) The applicant shall attend the Shikrapur Police Station, Pune as and when called for by the investigating officer till the filing of the charge sheet.

8. The Application is allowed in the aforesaid terms and is accordingly disposed of.

9. It is made clear, that the observations made herein are confined to this application and the learned Judge to decide the case on its own merits, uninfluenced by the observations made herein.

Parties to act on the authenticated copy of this order.

(REVATI MOHITE DERE, J.)

CERTIFICATE

Certified to be true and correct copy
of the original signed Judgment/order.