

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO.1595 OF 2015

Shivaji Kisan Shinde & Anr.

...Applicants

Versus

The State of Maharashtra

...Respondent

..

Ms Nirmala Gopal for the Applicants.

Ms R.V. Newton, APP for the Respondent -State.

CORAM : SMT. ANUJA PRABHUDESSAI, J.

DATE : 8th DECEMBER, 2015.

P. C. :

This is an application for anticipatory bail filed by the aforesaid Applicants apprehending their arrest in Crime No. 148 of 2015 registered with Aalephata Police Station, Pune (Rural), for the offences punishable under section 143, 147, 149, 323, 427, 452, 504 and 506 of the IPC.

2. Heard the learned counsel for the Applicants and the learned APP for the Respondent -State.

3. I have perused the records and considered the submissions advanced by the learned counsel for the Applicants and the learned

APP for the Respondent -State. The records prima facie reveal that pursuant to the complaint lodged by one Dagdubai Shinde, aforesaid crime was registered initially for an offence punishable under section 323 and other sections of the IPC. In the course of the investigation it was revealed that the victim had sustained grievous injuries, hence section 325 came to be added. It may be mentioned that section 325 of the IPC is a bailable section and only non-bailable section is 452 of the IPC. In my considered view the nature of the allegations levelled against the Applicants would not justify custodial interrogation for the said crime.

4. Under the circumstances and in view of the discussion supra, the application is allowed on the following terms and conditions:-

(I) In the event of arrest of the Applicants, in Crime No. 148 of 2015 registered with Aalephata Police Station, Pune (Rural), the Applicants be released on bail on furnishing bail bonds of Rs.15,000/- (Rupees Fifteen Thousand only) each with one or two sureties in the like amount to the satisfaction of the learned Judicial Magistrate First Class, Junnar, Dist-Pune.

(II) The Applicants shall report to the Investigating Officer initially for four days from 10.00 a.m. to 1.00 p.m. and further as and when required by the Investigating Officer for the purpose of interrogation.

(III) The Applicants shall not interfere with the complainant, the other victim and the witnesses, in any manner.

(ANUJA PRABHUDESSAI, J.)