

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

ANTICIPATORY BAIL APPLICATION NO.1623 OF 2015

Dhairyashil alias Appa Arjun Pansare ...Applicant

Versus

The State of Maharashtra ...Respondent

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Mr. Vilas B. Tapkir for the Applicant.

Mr. S.S. Pednekar, APP for the Respondent -State.

CORAM : SMT. ANUJA PRABHUDESSAI, J.

DATE : 23rd NOVEMBER, 2015.

P. C. :

This is an application for pre-arrest bail filed by the aforesaid Applicant in apprehension of his arrest in Crime No.91 of 2014 registered with Chakan police station, Pune, for the offences punishable under sections 341, 363, 326, 324, 143, 147, 149 and 506 of the IPC.

2. Heard the learned counsel for the Applicant 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 respective parties. The record

prima facie reveal that one Dipak Rambhau Pansare had lodged a FIR on 24.2.2014 alleging that on 23.2.2014, one Bajrang Sable and others at the instance of the Applicant herein had taken him to an open ground at Arekar Vasti. The Applicant, who was present at the place of the incident had questioned him about a previous incident and thereafter the Applicant and the others assaulted him with wooden sticks, kicks and blows.

4. The material on record prima facie reveals the involvement of the Applicant in the said crime. The medical certificate also prima facie reveals that the complainant had sustained injuries. It is however, to be noted that though the offence was registered on 24.2.2014, there is no entry in the case diary as to show the nature of investigation carried out from 28.2.2014 till the date of filing of the application. This fact itself indicates that the presence of the Applicant was not required for the purpose of the custodial interrogation and /or for the purpose of investigation.

5. The Applicant is a permanent resident of Bahul, Taluka-Khed, District-Pune, hence, there are no chances of his absconding or fleeing away from the course of justice.

6. Considering the above circumstances, the application is allowed on the following terms and conditions:-

i) In the event of arrest of the Applicant in C.R. No.91 of 2014 registered at Chakan police station Dist. Pune, the Applicant be released on bail bond of Rs.15,000/- (Rupees Fifteen Thousand Only) with one surety in the like amount to the satisfaction of the learned Judicial Magistrate, First Class, Khed, Rajgurunagar.

ii) The Applicant shall report to the Investigating Officer for seven days between 10.00 a.m. to 1.00 p.m. and further as and when required by the Investigating Officer for the purpose of investigation and interrogation.

(ANUJA PRABHUDESSAI, J.)