

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

CRIMINAL ANTICIPATORY BAIL APPLICATION NO. 1728 OF 2015

Vitthal Dhondiba Thombare & Ors.

..Applicants

v/s.

The State of Maharashtra.

..Respondents

Mr. Rahul Kate for the Applicants

Mrs. R.V. Newton, APP for the Respondent/State.

CORAM : SMT. ANUJA PRABHUDESSAI, J.

DATED : NOVEMBER 18, 2015.

P.C.

1. This is an application for anticipatory bail. The aforesaid applicant has been arrayed as an accused in Crime No. 230 of 2015 for the offence punishable under Section 143, 147, 148, 307, 504 r/w. 149 of Indian Penal Code and Section 37(1)(3), 135 of the Maharashtra Police Act.

2. Heard Mr. Kate, the learned Counsel for the applicant and the learned APP for the State. Perused the record, and considered the submissions advanced by the learned Counsel for the respective

parties.

3. The record prima facie reveals that one Baban Kharat had lodged an FIR on 17.10.2013 alleging that he was informed that his son Dattatraya and nephew Vikas were assaulted. When he went to the place of the incident, he saw them lying in the injured condition. He took them to the hospital for medical treatment and lodged the FIR before the Phaltan Rurl Police Station, pursuant to which the above crime came to be registered. The statements of the injured have been recorded. A perusal of both the statements reveal that the applicants herein were involved in causing injury to them by means of axe and rods. The medical certificates reveal that the injuries sustained by Dattatraya and Vikas are grievous. The offence alleged is grave. Considering the gravity of the offence and also considering the fact that the investigation is still in progress, the applicants are not entitled for bail.

4. Under the circumstances and in view of the discussion supra, the application is dismissed.

(ANUJA PRABHUDESSAI, J.)