

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE SIDE JURISDICTION
CRIMINAL BAIL APPLICATION NO. 2744 OF 2014

1. Sandip Mohan MalweApplicants
2. Raju Subhash Malwe
3. Ranjeet Dattatraya Dhaitonde
4. Mahadeo Dattatraya Malwe

V/s.

The State of MaharashtraRespondent

Mr. Sandeep S. Salunkhe for Applicant
Ms. P. P. Shinde APP for the State.

CORAM : SMT. SADHANA S. JADHAV, J.
DATED : FEBRUARY 2, 2015

PC :

1) Heard. This is an application under section 439 of Code of Criminal Procedure, 1973. Applicant herein are arrested on 24/11/2014 in crime no. 352 of 2014 registered at Yavat Police Station for offence punishable under sections 143, 147, 148, 324, 326, 323 r/w 149 and section 504 & 506 of Indian Penal Code. Subsequently section 307 of Indian Penal Code is added. It prima facie appears that investigation is almost completed.

2) The co-accused have been granted pre-arrest bail by this Court in Criminal Application No. 1661 of 2014 vide order dated 12/01/2015. It was

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observed that an overt act is attributed to the present applicant no. 1 as he had assaulted Shivaji on his head. The role attributed to applicant no. 2 is that he had assaulted the complainant on his right forearm and at wrist. No specific role is attributed to applicant nos. 3 & 4.

3) Perused papers of investigation. Shivaji had sustained fracture of Ulna and that is the only grievous injury. Taking into consideration the fact that applicants have been in jail for more than two months, this Court is inclined to enlarge the applicants on bail on the condition that they shall not reside in Yavat for a period of 6 months from the date of their release.

ORDER

- (i) Application is allowed.
- (ii) Applicants be enlarged on bail on furnishing P. R. bond in the sum of Rs. 15,000/- and one or two sureties in the like amount.
- (iii) Applicants shall not reside in Yavat for six months from the date of their release. Applicants shall give their address, cellphone no., and other details to the investigating officer, soon after they are released.

Application stands disposed of.

(SMT. SADHANA S. JADHAV, J.)