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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO.400 OF 2016**

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|----|--------------------------------|---------------|
| 1. | Nagesh Suresh Bidri | |
| 2. | Ravi @Ravikant Laxman Birajdar | ...Applicants |
| | Versus | |
| | The State of Maharashtra | ...Respondent |

Mr.P.G.Sarda, for the Applicants

Ms. Arfan Sait, A.P.P for the Respondent-State

API – J.S.Salunkhe, Foujdar Chawdi Police Station, Solapur.

***CORAM : REVATI MOHITE DERE, J.
DATE : 21st MARCH, 2016***

P.C. :

1. Heard learned Counsel for the applicants and the learned A.P.P.
2. By this application, the applicants seek pre-arrest bail in connection with C.R. No. 4 of 2016 registered with the Foujdar Chawdi Police Station, Solapur for the alleged offences punishable under Sections 143, 147, 148, 149, 307, 326, 323, 336 of the Indian Penal Code and under Section 135 of the Bombay Police Act.

3. The incident in question has taken place on 3th January, 2016 at about 4.30 p.m. It is alleged that the present applicants and other co-accused came to the spot, armed with iron rods and sticks and assaulted the first informant and his friends i.e. Sidhram Swami and Ranjit Jadhav.

4. This Court vide order dated 4th March, 2016, granted interim protection to the applicants. It was observed that the FIR, *prima-facie* reveals that the applicants were member of an unlawful assembly, however, the complaint indicates that the applicant no.1 assaulted the complainant. As far as applicant no.2 is concerned, he is alleged to have assaulted the complainant along with other accused with a wooden stick.

5. Learned APP on being asked, states that the applicants have no antecedents.

6. Perused the injury certificate of Tejas Dinesh Karanje, the first informant. It appears that he has received a CLW, which is caused by a hard and blunt object and the nature of injury is simple in nature. The injury of

Sidhram Swami also shows that he has received blunt trauma on his left cheek by a hard and blunt object and the nature of injury is simple in nature. As far as Ranjit Jadhav is concerned, he has received an injury on the left parietal area posterior side. This injury is stated to be a grievous injury. The applicant no.1 is alleged to have assaulted the complainant, applicant no.2 is also alleged to have assaulted the complainant along with others with a wooden stick.

7. Considering the role of the applicants and the nature of injuries, the applicants are granted pre-arrest bail on the following terms and conditions :

ORDER

- (i) In the event of the arrest, the applicants be enlarged on bail on furnishing P.R. Bond in the sum of Rs.20,000/- each with one or two sureties in the like amount ;
- (ii) The applicants shall attend the concerned Police Station on every Saturday, between 10.00 a.m. to 11.00 a.m., till the filing of the charge-sheet ;

(iii) The applicants shall not tamper or attempt to influence the complainant, witnesses or any person concerned with the case.

(iv) The applicants shall inform their latest place of residence and mobile contact number immediately and/or change of residence or mobile details, if any, from time to time to the Court seized of the matter and to the Investigating Officer of the concerned Police Station.

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 *prima facie* and are confined to this application and the learned Judge to decide the case on its own merits, uninfluenced by the observations made herein.

10. All concerned to act on the authenticated copy of this order.

REVATI MOHITE DERE, J.