

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO. 706 OF 2016**

1. Yashwant Laxman Gurav,	
2. Sandesh Yashwant Gurav,	
3. Prakash Babaji Gurav	...Applicants
Versus	
The State of Maharashtra	...Respondent

Mr. Harshad Eknathrao Palwe for the Applicants

Ms. A. T. Javeri, A.P.P for the Respondent-State

API Ms. Meghana R. Barande from Nate Sagari Police Station, Ratnagiri,
is present

CORAM : REVATI MOHITE DERE, J.
FRIDAY, 29th APRIL, 2016

P.C. :

1. Heard learned Counsel for the applicants and the learned A.P.P
for the State.

2. By this application, the applicants seek pre-arrest bail in
connection with C.R. No. 3 of 2016 registered with the Nate Sagari Police
Station, Ratnagiri, for the alleged offences punishable under Sections 323,
394, 504, 506 r/w 34 of the Indian Penal Code.

3. Learned Counsel for the applicants submits that considering the nature of allegations, *prima facie*, no offence under Section 394 is disclosed. He submitted that even previously the complainant had filed criminal cases as against the applicants, and that the applicants have been acquitted from the said cases. He submitted that there are civil disputes between the parties.

4. Learned APP has produced the injury certificates. Both the injury certificates show that the injured – Gopinath Prabhudesai and Raghunath Prabhudesai have received simple injuries with a hard and blunt object.

5. Perused the papers. It appears that there are civil disputes which are pending between the parties. It also appears that previously complaints of similar nature were filed, in which, the applicants have been acquitted. The injury certificate of Gopinath Prabhudesai shows that he had sustained 3 abrasions and one blunt injury. All the said injuries are simple in nature. As far as Raghunath Prabhudesai is concerned, he has suffered 2 blunt injuries, which are also stated to be simple in nature.

6. Considering the aforesaid, the application is allowed and the applicants are granted anticipatory 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. 25,000/- each with one or two sureties in the like amount;
- (ii) The applicants shall report to the Investigating Officer on every Saturday from 10:00 a.m. to 12:00 noon, till the filing of the charge-sheet and thereafter, on the first Saturday of every month from 10:00 a.m. to 12:00 noon for a period of 12 months;
- (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 places of residence and mobile contact numbers immediately to the Investigating Officer of the concerned Police Station;

7. The Application is allowed in the aforesaid terms and is accordingly disposed of.
8. 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.
9. All concerned to act on the authenticated copy of this order.

REVATI MOHITE DERE, J.