

Anand

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

ANTICIPATORY BAIL APPLICATION No.53 OF 2016

Balu Sida Ghodke .Applicant

Vs.

The State of Maharashtra .Respondent

Mr.J.Shekhar i/b. J. Shekhar & Co., Advocate,
for the Applicant

Mr.D.P.Adsule, APP, for the Respondent – State

CORAM : REVATI MOHITE DERE, J.

DATE : 18.03.2016

P.C.

. Heard learned counsel for the Applicant
and the learned APP for the Respondent – State.

2. By this Application, the Applicant
seeks pre-arrest bail in connection with C.R.No.
294 of 2015 registered with the Pandharpur
Taluka Police Station, District – Solapur, for
the alleged offence punishable under Section 307
r/w.34 of the Indian Penal Code.

3. The incident in question has taken place on 20.10.2015 at 9.45 a.m.. It is alleged that the Applicant alongwith two others went to the field to question the injured-Sitabai. It is alleged that co-accused Nagesh Ghodke and Bandu Ghodke assaulted Sitabai with a Sword on her head and hand and that the present Applicant held her tightly, as a result of which she could not move.

4. Learned counsel for the Applicant submits that the only allegation qua the Applicant is that he held the injured-Sitabai. He states that the Applicant has not caused any injury to Sitabai.

5. Learned APP opposes the Bail Application. He submitted that Nagesh and Bandu assaulted Sitabai with a Sword, after the present Applicant tightly held her.

6. Perused the Injury Certificate. The injured-Sitabai has received as many as seven CLW injuries with a sharp object and has sustained fracture of the left forearm.

7. Considering the role of the Applicant, this is not a fit case to grant pre-arrest protection to the Applicant. Accordingly, the Anticipatory Bail Application stands rejected.

8. It is made clear, that if an Application for regular bail is filed, the learned Judge shall consider the same on its own merits, uninfluenced by the observations made in this order.

(REVATI MOHITE DERE, J.)