

IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO.376 OF 2016

Roshan Arjun Patil

...Applicant

Versus

The State of Maharashtra

...Respondent

.....

Mr. Rahul Thakur for the Applicant.

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

**CORAM : SMT. ANUJA PRABHUDESSAI, J.**

**DATE : 2<sup>nd</sup> MARCH, 2016.**

**P. C. :**

This is an application for anticipatory bail filed by the aforesaid Applicant, who is arrested in Crime No.I-26 of 2016 registered at Khandeshwar Police Station, District- Navi Mumbai for the offence punishable under section 307 r/w. 34 of the IPC.

2           The aforesaid crime was registered pursuant to the FIR lodged by one Tukaram Bhoir. The allegations against the Applicant are that on 10.2.2016 at about 8.00 p.m. the Applicant and his father had assaulted him by means of a wooden *danda* and thereby attempted to cause his death. Apprehending his arrest in the said crime, the Applicant filed an application for bail before the Sessions Court,

Raigad-Alibag. Said application was rejected by the Additional Sessions Judge, Raigad-Alibag. Hence, the present application.

3. Mr. Rahul Thakur, the learned counsel for the Applicant has submitted that the Applicant is not involved in committing the crime. He has drawn my attention to the FIR dated 12.2.2016 lodged by one Ranjana Deepak Shevare against the Applicant-Tukaram Bhoir and has submitted that the Applicant has been falsely implicated in view of the incident on 10.2.2016 between the complainant, Tukaram Bhoir and said Ranjana Shevare.

4. Mr. D.P. Adsule, the learned APP for the Respondent -State has submitted that the FIR prima facie discloses that the Applicant was involved in inflicting injuries on the complainant-Tukaram Bhoir. He has further submitted that the complainant has sustained grievous injury on vital part of the body and that he is still undergoing treatment. He has further submitted that the offence is of serious nature and the presence of the Applicant is required for custodial interrogation.

5. I have perused the records and considered the submissions advanced by the learned counsel for the Applicant and the learned APP

for the Respondent -State. The FIR lodged by Tukaram Bhoir prima facie indicates that the Applicant herein had inflicted injuries on Tukaram Bhoir on his hand and head and that he was unconscious and was thereafter admitted to Gandhi Hospital, Panvel. The medical certificate issued by the Medical Officer from Gandhi Hospital prima facie indicates that the first informant has sustained total six injuries. He has sustained four injuries on the vital part of the body and he is still under treatment. The material on record therefore, prima facie shows the involvement of the aforesaid Applicant in commission of the said crime. The FIR lodged by Ranjana Shevare was subsequent to lodging of the FIR of said Tukaram and has no nexus with the present crime.

6. The material on record prima facie shows the involvement of the Applicant in committing offence, which is of serious nature and the same is required to be investigated thoroughly. Considering the above facts and circumstances, the application is dismissed.

**(ANUJA PRABHUDESSAI, J.)**