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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL BAIL APPLICATION NO. 442 OF 2016**

Sanjay Nana Dongre	...Applicant
Versus	
The State of Maharashtra	...Respondent

Mr.M.V.Thorat, for the Applicant

Ms.Geeta Mulekar, A.P.P for the Respondent-State

Mr.Sandeep Salunkhe, for the Original Complainant.

***CORAM : REVATI MOHITE DERE, J.
DATE : 15th MARCH, 2016***

P.C. :

1. Heard learned Counsel for the applicant, learned counsel for the original complainant and the learned A.P.P.

2. By this application, the applicant seeks his enlargement on bail in connection with C.R.No. 127 of 2015, registered with the Mohol Police Station, Solapur, for the alleged offences punishable under Sections 307, 327, 143, 144, 147, 148, 149 and under Section 135 of the Bombay Police Act.

3. Learned Counsel for the Applicant submits that the applicant and accused no.3 – Rajan Dongre, are alleged to have assaulted the complainant with a sword on his head. He submitted that the injury certificate of Sanjay Ashok Bhage, which is on page 99 of the application shows that the nature of injury sustained by the complainant are simple in nature.

4. Learned APP submitted that the applicant was absconding and it was only after his Writ Petition was dismissed vide order dated 14th January, 2016 that the applicant was arrested. He submitted that the applicant has antecedents.

5. Learned Counsel for the intervener states that there are two FIR and two private complaints which have been filed against the applicant.

6. Perused the papers. It is not in dispute that the original accused no.3 – Rajan Dongre, who is similarly placed has been enlarged on bail. It appears from the prosecution case that the applicant is alleged to have

assaulted the complainant with a sword on his head. The injury certificate of Sanjay Bhage shows the following injuries:-

1. Contused lacerated wound (2 in number) on frontal region.
2. Blunt Trauma on Chest

7. It appears that the weapon used was a hard and blunt object and the injuries sustained are stated to be simple in nature. The applicant was arrested on 13th February, 2016. There appears to be some political rivalry between the parties. No doubt there are cases registered as against the applicant, but stringent conditions can be imposed. Considering the peculiar facts of this case, the applicant is enlarged on bail on the following terms and conditions :

ORDER

- (i) The applicant be enlarged on bail, on executing PR Bond in the sum of Rs. 25,000/- with one or two sureties in the like amount.
- (ii) The applicant 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 and thereafter on the 1st Saturday of every month, till

the conclusion of the trial;

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

(iv) The applicant shall inform his latest place of residence and mobile contact number immediately after being released 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;

(v) The applicant to cooperate with the conduct of the trial;

(vi) An undertaking to the aforesaid clauses ii) ; iii) ; iv) and v), shall be filed by the Applicant, in the Trial Court, within two weeks after his release ;

(vii) It is made clear, that if there is breach of any of the conditions

as stated above, the prosecution shall be at liberty to seek cancellation of Applicant's bail.

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 the trial Court shall decide the case on its own merits, in accordance with law, uninfluenced by the observations made in this order.

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

REVATI MOHITE DERE, J.