

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

ANTICIPATORY BAIL APPLICATION NO.566 OF 2016

Rohidas Rajaram Ghadge

..Applicant

v/s.

The State of Maharashtra .

..Respondents

Mr. Kuldeep Patil for the Applicant.

Mr. Satyajeet Rajeshirke for the complainant

Mrs.A.A.Mane, APP for the Respondent/State.

Mr.B.D.Dhere, API Kundal Police Station, Sangli present.

**CORAM : SMT. ANUJA PRABHUDESSAI, J.
DATED : APRIL 20, 2016.
(IN CHAMBER)**

P.C.

1. This is a second application for bail filed by the aforesaid applicant apprehending his arrest in Crime No.15 of 2015 registered at Kundal Police Station, District Sangli for the offences under Section 307, 342, 337, 324, 143, 147, 148, 14, 9 of IPC and under Section 4, 25 of Arms Act.

2. The previous bail application being Anticipatory Bail Application No. 1682 of 2015 was allowed to be withdrawn vide

order dated 23.11.2015. The present application is filed mainly on the medical ground.

3. Heard learned Counsel for the applicant and the learned APP for the State , as well as the learned counsel for the complainant. I have perused the records.

4. The records prima facie reveal that one Manju Prakash Shinde, niece of the present applicant had told him that told her paternal uncle Pandurang that she was not ready to reside in the house of Kalidas Ghadge. She had stated that the family members had a meeting and that Kalidas Ghadge had told her to go to her native place. She has stated that while she was packing her belongings, the applicant came armed with a sword and tried to inflict a blow on the head of Pandurang Ghadge. However, said Pandurang Ghadge avoided the said blow and in the course Deepak Ghadge came in contact with the sword and sustained injuries on his face. She has further stated that thereafter the other co-accused Gautam Ghadge who had come armed with the sword inflicted blow of sword on the head of Pandurang Ghadge and threatened to kill him. She had further alleged that the applicant and the other co-accused had

pelted stones and bottles and caused injuries to Pandurang Ghadge and Deepak Ghadge.

5. Pursuant to the FIR lodged by Manju Shinde, the aforesaid crime came to be registered. The statement of Deepak Ghadge prima facie reveals that the applicant herein had come armed with a sword and that he had tried to inflict a blow on Pandurang Ghadge and when Pandurang Ghadge tried to avoid the said blow hit by the sword, he sustained injuries. The statement of Deepak Ghadge prima facie shows the involvement of the applicant in committing the said crime.

6. Learned Counsel Shri Patil has submitted that the applicant is seeking bail mainly on medical ground. He has placed on record the medical certificate dated 23.2.2016 issued by the Medical Officer of Ruby Hall Clinic, certifying that the applicant has recovered from sudden cardiac death and he needs to undergo single Chamber AICD implantation as a life saving measure.

7. It is pertinent to note that subsequent to his ailment i.e. on 25.03.2016 the applicant herein has committed another crime punishable under Section 307 and other offences under IPC as well

as under Arms Act and a FIR No.59 of 2016 has already been registered against the applicant at Islampur Police Station. The learned APP has further submitted that several other crimes have been registered against the applicant and that his criminal antecedents do not justify grant of bail.

8. The medical certificate dated 23.2.2016 prima facie indicates that the applicant had suffered cardiac arrest and that he has recovered from the same. The records prima facie reveal that even after the ailment, the applicant is involved in committing serious crimes. Considering this fact and also considering his previous criminal record, in my considered view the applicant is not entitled for anticipatory bail. Needless to state that in the event the applicant is arrested and requires medical care and treatment while he is in custody, the Investigating Agency shall take every possible steps to provide medical aid to the applicant.

9. In the light of the above, the application stands dismissed.

(ANUJA PRABHUDESSAI, J.)