

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO. 574 OF 2016**

Sanket Vijaykumar Patil

...Applicant

Versus

State of Maharashtra

...Respondent

Mr. Gaurav Parkar for the Applicant

Ms. Veera Shinde, A.P.P for the Respondent-State

PC Mr. D. G. Jhemle from Poynad Police Station, Alibag, Raigad, is present

CORAM : REVATI MOHITE DERE, J.
TUESDAY, 12th APRIL, 2016

P.C. :

1. Heard learned Counsel for the applicant and the learned A.P.P for the State.
2. By this application, the applicant seeks pre-arrest bail in connection with C.R. No. 20 of 2016 registered with the Poynad Police Station, Raigad, for the alleged offences punishable under Sections 452, 323, 504, 506, 427 of the Indian Penal Code.

3. According to the complainant – Makarand V. Patil, when he went to his clinic on 19th March, 2016, at about 7:00 a.m., the applicant entered his clinic, abused him and threatened him with dire consequences. The applicant is also alleged to have forcibly removed the spectacles of the complainant and broken the same as well as certain other articles.

4. Learned Counsel for the applicant submitted that the applicant is the owner of the gala which has been rented out to the applicant. He submitted that there is a suit for eviction which has been filed by the applicant in the year 2009 and which is pending in the District Court at Alibag. He submitted that in fact the applicant had lodged one NC as against the complainant on the very same day, which is on page 35 of the application, alleging offences punishable under Sections 323, 504 and 506 of the Indian Penal Code. He submitted that only Section 452 is non-bailable, whereas rest of the Sections are bailable.

5. Learned A.P.P has produced the injury certificate of Makarand Patil. A perusal of the injury certificate shows that all the four injuries sustained by the complainant are simple in nature.

6. Considering the facts of the case, the applicants are granted anticipatory bail on the following terms and conditions :

ORDER

(i) In the event of the arrest, the applicant be enlarged on bail on furnishing P.R. Bond in the sum of Rs. 10,000/- with one or two sureties in the like amount;

(ii) The applicant shall attend the concerned Police Station as and when called, till the filing of the charge-sheet till;

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.