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

**ANTICIPATORY BAIL APPLICATION NO.1153 OF 2016**

|                          |                 |
|--------------------------|-----------------|
| Rahul Bhagwan Karne      | .... Applicant  |
| V/s.                     |                 |
| The State of Maharashtra | .... Respondent |

Mr. Rajaram Vaman Bansode, for the Applicant.  
Mrs. Veera Shinde, APP for the Respondent State.

**CORAM : A. M. BADAR, J.**

**DATE : 20th JULY, 2016.**

**P.C. :**

1. Heard the learned counsel for the applicant/accused. He argued that the role attributed to present applicant is that of assaulting Nitin Pawar. The learned counsel by drawing my attention to the order passed by the learned Additional Sessions Judge on 3.6.2016 in Bail Application No.90 of 2016, argued that injury of Nitin Pawar was noted to be healed by the learned Additional Sessions Judge. Therefore, according to learned counsel for the applicant, custodial interrogation of the applicant is not warranted.

2. The learned APP opposed the application by submitting that the offence is punishable under Section 307 of the Indian Penal Code and

he relied upon the injury certificate of Nitin Pawar.

3. Perused the papers of investigation. The incident in question took place in a fair at village at the time of Palki procession of God Bhairanth. Informant Santosh Rajaram, averred that accused Chickya @ Suraj Tatyasaheb Nikam, assaulted him by means of shaving knife/razor. It is further averred in the F.I.R. that his brother Nitin Pawar came to be assaulted by the applicant as well as by co-accused.

4. Perusal of statement of Nitin Pawar goes to show that he was assaulted by the present applicant as well as co-accused Raviraj. The injury certificate of Nitin shows that he suffered contused lacerated wound which is reported to be simple in nature, by the Medical officer. The weapon of assault is stated to be stone.

5. Considering the role attributed to the present applicant i.e. assault to Nitin Pawar by stone and simple injury in nature, suffered by Nitin, custodial interrogation of the applicant is not warranted. Hence, following order.

#### Order

I) In the event of arrest of the applicant, in crime No.63 of 2016, registered with Pusegaon Police Station, District; Satara, for offence punishable under Sections 326, 307, 324, 323, 504, 506 r/w 34 of the Indian Penal Code, he be released on bail on his executing P.R. Bond in the sum of

Rs.25,000/- and on his furnishing surety in the like amount.

II) The Applicant shall not, directly or indirectly, make any inducement, threat or promise to any persons acquainted with the facts of the case so as to dissuade them from disclosing such facts either to the Court or to any police officer.

III) The Applicant shall attend the concerned police station on every first Saturday of the month in between 11.00 a.m. to 1.00 p.m., till filing of the chargesheet, and shall co-operate the Investigating officer.

IV) The Applicant shall not tamper with the prosecution evidence in any manner.

**[A. M. BADAR, J.]**