

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO.1628 OF 2016

Ranjit Vilas Pawar & Anr.

...Applicants

Versus

The State of Maharashtra

...Respondent

...

Mr. Rupesh Zade for the Applicants.

Mr. Prashant Jadhav, APP for the Respondent -State.

Mr. B.K. Bankar, PC, Baramati City Police Station, present.

CORAM : SMT. SADHANA S. JADHAV, J.

DATED : NOVEMBER 24, 2016.

P. C. :

1. Heard the learned counsel for the Applicants and the learned APP for the Respondent -State.

2. This is an application under section 438 of the Code of the Criminal Procedure, 1973. The Applicants herein are apprehending their arrest in Crime No.467 of 2016 registered at Baramati City Police Station for offences punishable under Sections 341, 324, 323, 504 and 506 read with Section 34 of the Indian Penal Code.

3. It is the case of the prosecution that on 8.8.2016 Mr.

Pradeep Balu Gaikwad lodged the FIR at the police station alleging therein that on 7.8.2016 he was proceeding towards Baramati on the motorcycle of his friend Amar, who was accompanying him. When they were passing by the road a two wheeler motorcycle had overtaken them. Ganesh Ranpise and the present Applicant No.1 had obstructed the way and had raised quarrel with the first informant and a verbal altercation took place. Thereafter the present Applicant No.1 had assaulted the First Informant with fists and kick blows. In the said altercation Ganesh (the juvenile in conflict with law) had assaulted the first informant with a knife on his back. Due to which he had sustained a stab wound on back with sharp cutting. It was a grievous injury.

4. As far as the Applicants are concerned, the only role attributed to them are that they had assaulted the complainant with fists and kick blows. After considering the allegations against the present Applicants and more particularly the injury certificate, this Court is of the opinion that the Applicants deserve pre-arrest bail.

5. It is made clear that the observations are restricted to an application under section 438 of the Criminal Procedure Code and shall not be taken into consideration for the purpose of quashing of FIR,

discharge application or at the time of trial.

O R D E R

- (i) The application is allowed.
- (ii) In the event of arrest, the Applicants be enlarged on bail on furnishing P.R. Bond in the sum of Rs.25,000/- each with one or more sureties in the like amount.
- (iii) The Applicants shall report to the concerned police station on 29th and 30th November, 2016 between 10.00 a.m. to 12.00 noon and co-operate with the investigating agency to the best of their capacity.

6. The application stands disposed of accordingly.

(SMT. SADHANA S. JADHAV, J)