

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO. 1633 OF 2016

Rahul Balasaheb Pawar	...	Applicant
Vs.		
The State of Maharashtra	...	Respondent

Mr. Priyal G. Sarda, Advocate for the applicant.

Mr. Prashant Jadhav, APP, for the State.

Mr. Sudhir P. Wadile, Police Naik, Talegaon MIDC Police Station,
Pune (Gramin) present.

CORAM: SMT.SADHANA S.JADHAV,J.

DATE : 27th September, 2016.

P.C.

1. Heard. This is an application under Section 438 of Cr.P.C. The applicant herein is apprehending his arrest in Crime No.33 of 2016 registered at Talegaon MIDC Police Station, Pune, for the offences punishable under Sections 326, 341, 504, 506 of IPC.

2. It is the case of the prosecution that on 12.5.2016, Prakash Bhegade lodged a report at the police station alleging therein that he had quarreled with Dhananjay Yewale on account of dance at the time

of marriage of his relative. On 12.5.2016, at about 5.45 p.m., when the complainant and Ganesh Gawari were going to work. At that time, Dhananjay Yewale and two other persons came on bike and obstructed the vehicle of the complainant. Dhananjay was having a sword and other two unknown persons were armed with wooden stick and scythe and had assaulted the complainant and Gandsh Gawari.

3. Perused the papers of investigation.

4. The Injury Certificate issued to Prakash Bhegade shows that he has sustained one contused lacerated wound on his right hand and deep abrasion which were simple in nature. Ganesh had also sustained similar injuries.

5. The learned APP, upon instructions, submits that in the course of investigation, the friend of the complainant had informed him that the applicant was one of the two unknown persons. He was holding ascythe.

6. Taking into consideration the nature of allegations and the punishment contemplated for the offence punishable under Section 326 of the Indian Penal Code, the applicant deserves pre-arrest bail.

7. The above observations are prima facie and restricted to an application under Section 438 of Cr.P.C.

ORDER

- (i) The application is allowed.
- (ii) In the event of his arrest, the applicant be enlarged on bail on furnishing P.R. Bond in the sum of Rs.25,000/- with one or two sureties in the like amount.
- (iii) The applicant shall report to the concerned police station from 30th September to 5th October, 2016 between 10 a.m. to 12 noon and co-operate with the investigating agency.

Application stands disposed of.

(SMT.SADHANA S.JADHAV, J.)