

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

ANTICIPATORY BAIL APPLICATION NO. 1904 OF 2016

Shri Dashrath Bhudhaji Thakre & Anr.	.. Applicants
Versus	
The State of Maharashtra	.. Respondent

Mr. Santosh Deshpande Advocate for the Applicants.
Mr. N.B. Patil, A.P.P. for the Respondent – State.
Mr. Vikas Shivarkar for intervener.

CORAM : N.W. SAMBRE, J.

DATED : 17th NOVEMBER, 2016.

P.C. :

1 The Applicant is seeking pre-arrest bail in Crime No. 86 of 2016 for the offences punishable under Sections 326, 324, 323, 143, 147, 148, 189, 504, 506, 542 of the Indian Penal Code along with Section 37(1) (2)/135 of Bombay Police Act.

2 Prima facie it appears that there are counter F.I.R. which has resulted into registration of Crime Nos.84 and 85 of 2016.

3 It is further required to be noted that the injury certificate of Tukaram and Kunda which are placed on record depicts that they have suffered grievous injury. The applicant No.1 alleged to have used hard and blunt object.

4 There is specific attribution against applicant Dashrath in the F.I.R. that he has assaulted Kunda with an sharp object.

5 So far as applicant No.2 Jaywant Thakre is concerned, there are hardly any serious attributions against him.

6 In this background, the application of applicant No.1 Dashrath Budhaji Thakre, in view of availability of prima facie evidence about his involvement, stands rejected.

7 So far as applicant No.2 Jaywant Shankar Thakre is concerned, in absence of any evidence against him on record it will be appropriate to order release upon executing PR. Bond of Rs.15,000/- with one surety in the like amount.

8 In the meantime, the applicant shall attend the police station on 27th and 28th between 10.00 a.m. to 12.00 noon and thereafter as and when called.

9 The learned counsel for the applicants, after the dismissal of the prayer for grant of pre-arrest bail of the applicant No.1, makes a motion for continuation of the interim protection ordered by this Court for a further period of four weeks. The learned A.P.P. opposes the same. However, having regard to the fact that there are number of counter offences and the applicants are granted ad-interim protection from this Court for some time, the protection order is continued for a period of three weeks.

(N.W. SAMBRE, J.)