

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

CRIMINAL BAIL APPLICATION NO. 2452 OF 2015

Sanket Govind Raut

..Applicant

v/s.

The State of Maharashtra.

..Respondents

Mr. Kuldeep Patil for the Applicant

Mrs. Veera Shinde, APP for the Respondent-State.

Mr. Vaman Pandurang Mhatre, PSI Mandwa Sagari Police Station,
Raigad present.

**CORAM : SMT. ANUJA PRABHUDESSAI, J.
DATED : JANUARY 21, 2016.**

P.C.

1. This is an application for bail filed by the aforesaid applicant who is arrested in Crime No.I-40/2015 registered with Mandwa Police Station, Raigad for offences punishable under Section 143, 147, 148, 149, 307, 326 .120-B of the Indian Penal Code r/w. 37(1) (3) of the Bombay Police Act.

2. The case of the prosecution in brief is that on 11.10.2015 the

applicant herein had called the victim Milind Gharat near the ground at Nandaipada, Alibag, and when he reached the spot about 5-6 persons assaulted him with pipes and iron rods.

3. Shri Patil, learned Counsel for the applicant has submitted that the applicant and the victim were good friends. That the applicant had no motive to inflict any injury on the victim. He has stated that the applicant has been falsely implicated.

4. The learned APP submits that the CDR record shows that the applicant was in constant touch with the accused on the date of the incident. She has stated that there is a land dispute between the applicant and the victim. She has stated that the victim has sustained grievous injuries and that the investigation is in progress.

5. I have perused the record and considered the submissions advanced by the learned Counsel for the applicant and the learned APP for the State. The FIR lodged by Milind Gharat prima facie indicates that on 11.10.2015 at about 11.a.m. the applicant herein

had phoned him and told him to come near the ground at Nandaipada, Alibag, and when he had reached the spot, about 5-6 persons had assaulted him with pipes and rods. The victim had phoned the applicant and informed him about the incident of assault, thereupon the applicant had taken him to the hospital. The medical record prima facie indicate that the victim had sustained two grievous injuries on the legs. There is no prima facie material to show that the assailants had inflicted injuries on the vital parts of the body. There is also no material on record to prima facie indicate that the injuries were of such nature as to cause death in the ordinary course of nature.

6. Considering the above facts and circumstances, and also considering the fact that the applicant is in custody since 19.11.2015, in my considered view, further detention is not justified. Hence the application is allowed on following terms and conditions:

i) The applicant Sanket Raut, arrested in C.R.No. 1/40 of 2015 registered with Mandwa Sagari Police Station, be released on furnishing bail bond of Rs.40,000/- (Rupees Forty Thousand Only)

with one solvent surety in the like amount to the satisfaction of the learned Sessions Judge, Alibag.

ii) The applicant shall not interfere with the complainant or any other witnesses in any manner.

iii) The applicant shall not leave Raigad District till filing of the chargesheet without prior permission of the Sessions Judge, Alibag.

(ANUJA PRABHUDESSAI, J.)