

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

CRIMINAL APPLICATION NO.2553 OF 2017

1. Nilesh @ Vijay s/o Bhausahab **... Applicants**
Satpute, Age 30 yrs. Occu: Agri.
2. Sau. Archana Nilesh @ Vijay
Satpute,
Age 23 years, Occu: Household
3. Sau. Pushpa Pandurang Karale,
Age 42 years, Occu: Household
All R/o Kedgaon Dist. Ahmednagar
4. Eknath Yashwant Jadhav,
Age 38 years, Occu: Agri.
5. Gorakh Yashwant Jadhav,
Age 40 years, Occu: Agri.
Both R/o Nimgaon Wagha Tq. &
Dist. Ahmednagar.

VERSUS

The State of Maharashtra, **... Respondent**
Through Investigation Officer,
Kotwali Police Station,
Ahmednagar, Tq. & Dist. Ahmednagar

Mr. N. B. Narwade, Advocate for the applicants

Mr. P. N. Kutti, APP for the State.

CORAM : K. L. WADANE, J.

DATE : 8th June, 2017

ORDER:

1. Heard Mr. Narwade, learned counsel for the applicants and Mr. Kutti, learned APP for the State.

2. Present Criminal Application is filed for grant of anticipatory bail in connection with Crime No. I-192/2017 registered with Kotwali Police Station,

Ahmednagar for the offences punishable under sections 326, 323, 336, 143, 147, 148, 504 of the Indian Penal Code, under section 4/25 of the Arms Act and Section 37(1) (3), 135 of the Bombay Police Act.

3. During the course of argument, learned APP pointed that the applicant No.1 and another accused namely Rajendra Satpute and Vishal Pandurang Karale have tried to tamper with the prosecution evidence and they gave threats to one of the injured Bhagwan Satpute and they were insisting the injured person to withdraw the criminal case. In view of this, the learned counsel appearing for the applicants is not pressing the application to the extent of applicant No.1 Nilesh @ Vijay s/o Bhausahab Satpute.

4. Complainant Anil Satpute lodged the complaint against the applicants and other two accused with the allegations that on 24.04.2017, at about 1.30 p.m., when the complainant was taking lunch at his home, at that time, the present applicants and other two accused came there and suddenly assaulted him. Accused Rajendra Bhausahab Satpute was holding sword in his hand and he assaulted witness Shashikant Satpute by means of Sword. Accused Vishal Karale assaulted

witness Bhagwan Satpute by means of Tomy. Rest of the accused i.e. present applicant Nos. 2 to 5 have assaulted Anil Karale, Savita Satpute, Damini Satpute by means of Kicks and fist blows. Accused Rajendra Satpute and Vishal Karale have withdrawn their application for anticipatory bail today, so also, applicant No.1 in this case is not pressing the application in view of threat given to one of the witnesses in the present case.

5. Allegations against rest of the applicants i.e. Applicant Nos. 2 to 5 seems to be vague and general in nature. Allegations against them are of assaulting with kick and fist blows. During pendency of the bail application, interim protection was granted to them. In such circumstances, I think that custodial interrogation of the present Applicant Nos. 2 to 5 is not needed. Hence they can be released on anticipatory bail by putting certain conditions. Hence following order.

O R D E R

- i. In the event of arrest of applicant Nos.2 to 5 in connection with Crime No. I-192/2017 registered with Kotwali Police Station, Ahmednagar, they

shall be released on bail on their executing P.R.
Bond of Rs. 10,000/- [Rs. Ten thousand only]
each with one solvent surety in the like amount.

ii. Applicant Nos. 2 to 5 shall not enter village
Kedgaon Taluka and Dist. Ahmednagar till filing
of the Charge-sheet.

iii. Applicant Nos. 4 and 5 shall attend Kotwali
Police Station, Ahmednagar once in a week i.e. on
every Sunday between 12.00 noon to 2.00 p.m, till
filing of the charge sheet.

6. Criminal application is disposed of.

(K. L. WADANE, J.)

JPC