

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

ANTICIPATORY BAIL APPLICATION NO.46 OF 2017

Akash Subhash Gunjal

.... Applicant

versus

State of Maharashtra & Ors.

... Respondents

Mr.Raman N. Ghorpade, Advocate for the Applicant.

Mr.Rajan Salvi, APP for the State/Respondent.

API Mr.J.A. More (Koregaon Police Station, Pune).

CORAM : MRS.MRIDULA BHATKAR, J.

DATE : 10th JANUARY, 2017.

P.C. :

1. This application is moved by applicant/accused for pre-arrest bail. The applicant/accused is facing charges punishable u/s 307, 143, 147, 148, 504 and 506 of IPC, section 135 of Maharashtra Police and also u/s 3, 4, 5 of Maharashtra Medicare Service Persons and Mediare Service Institution (Prevention of Violence, damages or loss of property) Act, 2010. The offence is registered at the instance of injured Kushal Singh Kundan Singh Patwal on 24/11/2016 with Koregaon Police Station at C.R.No.120/16.

2. It is the case of prosecution that he alongwith co-

accused brought one patient, by name, Sunny Suresh Gunjal, who was dead before he was brought to the hospital. However, the applicant/accused and co-accused were telling doctor to rejuvenate him and also fought with the doctors, by name, Dr.Vinit and Kautuk. At that time when the complainant, who is practicing as a hospital manager tried to intervene, he was also abused and he was caught by 10-15 persons in the hospital. They assaulted him with kicks and fist blows on his private part, on his stomach and tried to kill him by hitting him on his head by iron chair and thereafter he gave complaint with the police station. The learned counsel for the applicant/accused prays for bail of the applicant/accused as his name is not mentioned in the FIR.

3. The learned prosecutor opposed this application and has submitted that police have checked the CCTV Footage and the present applicant/accused is identified by one of the witnesses.

4. In view of the submissions of the learned prosecutor and the manner under which offence is committed and considering the gravity of the offence, I am not inclined to grant bail. Hence application is rejected.

(MRIDULA BHATKAR, J.)