

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

ANTICIPATORY BAIL APPLICATION NO.298 OF 2017

Vaibhav Balasaheb Rupnawar & Anr. ...Applicants

Versus

The State of Maharashtra ...Respondent

**WITH
CRIMINAL BAIL APPLICATION NO. 625 OF 2017**

Shri. Nilesh Prakash Chavan ...Applicant

Versus

The State of Maharashtra ...Respondent

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Mr.Kuldeep Patil i/b. Mr.Prashant S.Hagare a/w Mr.Amar Kale for the Applicants in Anticipatory Bail Application No. 298 of 2017.

Mr.Rahul Kate for the Applicant in Bail Application No. 625 of 2017.

Mr.Rajan Salvi, APP for the State-Respondent in Anticipatory Bail Application No. 298 of 2017.

Mr.S.S.Pednekar, APP for the State-Respondent in Bail Application No. 625 of 2017.

Ms.Manjari Parasnis for the Complainant.

Mr.R.K.Gawali, Police Havaldar, Yawat Police Station, Pune (present)

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CORAM: Mrs.MRIDULA BHATKAR, J.

DATED: MARCH 10, 2017

P.C. :

1. Both the applications are decided and disposed of by common order, as the applicants-accused are prosecuted for the offences punishable under sections 307, 143, 147, 148, 149, 337, 294, 323, 504

and 506 of the Indian Penal Code and section 3 (25) of the Indian Arms Act in C.R.68 of 2017 registered with Yavat Police Station, Pune.

2. It is the case of the prosecution that the applicants-accused and co-accused and the complainant had a verbal altercation and quarrel on account of death of pet dogs of the applicant-accused Nilesh Chavan. They wanted to bury the dead dogs adjacent the court yard of the complainant, which was objected by the complainant and therefore, the applicants-accused and co-accused have assaulted the complainant Rahul Chavan and his father Vilas Chavan, his mother and sister. In the assault, the father of the complainant has sustained grievous injury by sword, when co-accused and the applicant-accused Nilesh Chavan have assaulted Rahul, his father Vilas Chavan tried to resist the blow and sustained injury to his right palm. Hence, the offence was registered on 27th January 2017. The applicant-accused Nilesh Chavan was arrested on 29th January 2017. Hence, he has filed this bail application and the applicants-accused Vaibhav Balasaheb Rupnawar and Rahul Balasaheb Rupnawar apprehend arrest and therefore, they have filed Anticipatory Bail Application. The applicants-accused in Anticipatory Bail Application No. 298 of 2017 were granted interim bail on 16th February, 2017.

3. On query, the learned prosecutor on instructions, informs that the applicants-accused have attended the police station as per the directions given by this Court. It is also informed that all the applicants-accused do not have any criminal antecedents.

4. The learned prosecutor and the learned counsel appearing for the Intervener opposed these applications.

5. Considering this submission, I hereby confirm interim order dated 16th February 2017 granted in favour of the applicants-accused Vaibhav Rupnawar and Rahul Rupnawar in Anticipatory Bail Application No. 298 of 2017. They shall attend the concerned police station as per the directions given in earlier interim bail order dated 16th February 2017, till 30th April 2017 or till the filing of the chargesheet, whichever is earlier. The applicant-accused Nilesh Chavan is granted bail on the following terms:

ORDER

- a) The applicant-accused Nilesh Chavan shall be released on bail upon furnishing P.R. Bond in a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) with one or two solvent sureties in the like amount.

- b) The applicant-accused shall not tamper with the evidence or pressurise the complainant.
 - c) The applicant-accused shall not indulge into any criminal activity and shall attend the concerned police station on every Saturday between 11.00 a.m to 12 noon till 31st March 2017.
 - d) The applicant-accused shall not abscond or leave India without prior permission of the Court and furnish his permanent address to the Investigating Officer alongwith documentary proof of his address.
 - e) In the event of breach of any of the above conditions, the prosecution will be at liberty to move the Court for cancellation of bail.
6. Both the applications are disposed of accordingly.

(MRIDULA BHATKAR, J.)