

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION No. 302 OF 2017

Sanjay Shankar Patil	... Applicant
Vs.	
The State of Maharashtra	... Respondent

CRIMINAL APPLICATION NO. 154 OF 2017
IN
ANTICIPATORY BAIL APPLICATION No. 302 OF 2017

Rajesh Rambhau Phadke	... Intervener
in the matter between	
Sanjay Shankar Patil	... Applicant
Vs.	
The State of Maharashtra	... Respondent

ANTICIPATORY BAIL APPLICATION No. 327 OF 2017

1. Harishchandra Govind Patil	
2. Mangesh Pandharinath Phadke	
3. Jitendra Ananta Phadke	
4. Gurunath Pandharinath Phadke	... Applicants
Vs.	
The State of Maharashtra	... Respondent

CRIMINAL APPLICATION NO. 158 OF 2017
IN
ANTICIPATORY BAIL APPLICATION No. 327 OF 2017

Rajesh Rambhau Phadke	... Intervener
in the matter between	
1. Harishchandra Govind Patil	
2. Mangesh Pandharinath Phadke	
3. Jitendra Ananta Phadke	
4. Gurunath Pandharinath Phadke	... Applicants
Vs.	
The State of Maharashtra	... Respondent

Mr. Kuldeep S. Patil, Advocate for the Applicant in both the Anticipatory Bail Applications.

Mr. Sujay H. Gangal a/w. Mr. Ganesh Mohite, Advocate for the Intervener.

Mrs. Rutuja Ambekar, APP for Respondent/State in ABA/302/2017.

Ms. Sharmila Kaushik, APP for Respondent/State in ABA/327/2017.

Mr. Rahul Laxman Bhoj, P.S.I., Panvel Taluka Police Station, Raigad present.

CORAM: MRS.MRIDULA BHATKAR, J.

DATE: 22nd February, 2017.

P.C.:

These Anticipatory Bail Applications are moved because the learned Additional Sessions Judge, Raigad-Alibag did not grant interim protection when the notice was issued to learned Public Prosecutor. Notices are returnable on 28th February, 2017.

2. The applicants/accused are apprehending arrest in C.R. No. 13 of 2017 registered with Panvel Taluka Police Station, Navi Mumbai under sections 143, 147, 148, 149, 341, 324, 323, 504, 506(2), 427 of the Indian Penal Code and under sections 37(1) and 135 of Maharashtra Police Act.

3. The learned counsel for the applicant/accused has submitted that there was cross fight between the two political groups. He submitted that the applications are made for limited prayer, i.e., to

grant interim protection till 27th February, 2017. He submitted that there are no criminal antecedents against the applicants/accused.

4. The learned APP and learned counsel for the complainant opposed the Anticipatory Bail Applications and submitted that the matter is fixed before the Additional Sessions Judge, Raigad-Alibag on 28th February, 2017.

5. It is confirmed by the learned APP, on instructions, that applicants/accused Sanjay Shankar Patil, Harishchandra Govind Patil and Mangesh Pandharinath Phadke do not have criminal antecedents, however, cases are pending against applicants/accused Jitendra Ananta Phadke and Gurnath Pandharinath Phadke. Under such circumstances, no interim anticipatory bail is granted to Anticipatory bail is granted to applicants/accused Jitendra Ananta Phadke and Gurnath Pandharinath Phadke.

6. However, interim pre-arrest bail is granted to applicants/accused Sanjay Shankar Patil, Harishchandra Govind Patil and Mangesh Pandharinath Phadke till **28th February, 2017** on

the following terms and conditions:

ORDER

- i) In the event of arrest, the applicants/accused Sanjay Shankar Patil, Harishchandra Govind Patil and Mangesh Pandharinath Phadke shall be released on bail upon furnishing P.R. Bond in the sum of Rs.20,000/- each with one or two solvent sureties in the like amount;
- ii) The applicants/accused shall cooperate with the Investigating Officer and attend the concerned police station every day between 7 p.m. to 8 p.m. till the next date.
- iii) The applicants/accused shall not commit any offence;
- iv) The applicants/accused shall not pressurize the complainant or any witnesses;
- v) The applicants/accused shall not abscond or leave India without prior permission of the trial Court and furnish their permanent address to the Investigating Officer alongwith documentary proof.

7. The learned trial Judge to decide the Anticipatory Bail Applications on merit, as no finding is given on merit by this Court. The learned trial Judge to decide the Applications preferably on 28th

February, 2017.

8. Anticipatory Bail Applications stand disposed of. Criminal Applications are also disposed of accordingly.

(MRIDULA BHATKAR, J.)