

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION No. 367 OF 2017

Siddhant Bhamare

... Applicant

Vs.

The State of Maharashtra

... Respondent

Mr. Manmohan A. Amonkar a/w. Mr. Rajmohan A. Amonkar,
Advocate for the Applicant.

Ms. Sharmila S. Kaushik, APP for Respondent – State.

Mr. G.D. Garde, A.S.I., Jaikheda Police Station, Satana, District
Nashik.

CORAM: MRS.MRIDULA BHATKAR, J.

DATE: 10th March, 2017

P.C.:

This Application is moved for anticipatory bail under section 438 of Cr. P.C. The applicant-accused is apprehending arrest in C.R. No. 15 of 2017 registered with Jaikheda Police Station for the offences punishable under section 323, 324, 325, 326, 447, 504 and 506 r/w. 34 of the Indian Penal Code. One Lahu Totaram Shinde gave information on 16th January, 2017 and the offence was registered on 18th January, 2017.

2. It is the case of the prosecution that on 16th January, 2017, the applicant/accused along with his relatives Gulabrao Bhamare and Yogesh Gulab Bhamare armed with iron rod and sticks went to the

farm of the complainant and they picked up quarrel. Gulabrao Bhamare assaulted the complainant with iron rod. The applicant/accused held the complainant when co-accused Yogesh Bhamare assaulted the complainant with fist blows.

3. The learned counsel for the applicant/accused has submitted that the applicant/accused was not holding any weapon. The complainant had sustained various injuries. However, this Court has granted anticipatory bail to Gulabrao Bhamare by order dated 16th February, 2017 in Anticipatory Bail Application No. 292 of 2017. He further submitted that there are no criminal antecedents against the applicant/accused.

4. Learned APP opposed the Application. She relied on the complaint and the injury certificate.

5. Perused the FIR. The allegations made against the applicant/accused are not of serious nature. It is that the applicant/accused held the complainant when he was assaulted. There are no criminal antecedents against the applicant/accused. The injury certificate discloses that the nature of offence is simple though there were various injuries to the complainant. Considering

this, pre-arrest bail is granted to the applicant/accused on the following terms and conditions:

ORDER

- i) Application is allowed.
- ii) In the event of arrest, the applicant-accused shall be released on bail upon furnishing P.R. Bond in the sum of Rs.20,000/- with one or two solvent sureties in the like amount;
- iii) The applicant-accused shall cooperate with the Investigating Officer and attend the concerned police station on every Monday and Friday between 5 p.m. to 7 p.m. till the filing of the charge sheet.
- iv) The applicant-accused shall not tamper with the evidence or pressurize the complainant;
- v) The applicant-accused shall not indulge into any criminal activity;
- vi) The applicant-accused shall not abscond or leave India without prior permission of the trial Court and furnish his permanent address to the Investigating Officer alongwith documentary proof.

(MRIDULA BHATKAR, J.)