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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO.413 OF 2017**

Sudhir Ramesh Jagtap	...Applicant
Versus	
The State of Maharashtra	...Respondent

**WITH
ANTICIPATORY BAIL APPLICATION NO.414 OF 2017**

Balu Tukaram Jagtap	...Applicant
Versus	
The State of Maharashtra	...Respondent

Mr.Milind Deshmukh, for the Applicants in both the applications.

Mr.Prashant Jadhav, A.P.P for the Respondent-State

***CORAM : REVATI MOHITE DERE, J.
DATE : 19th APRIL, 2017***

P.C. :

1. Heard learned Counsel for the applicants and the learned A.P.P.
2. By these applications, the applicants seek pre-arrest bail in connection with C.R. No.01 of 2017 registered with the Natepute Police Station, Solapur Rural, for the alleged offences punishable under Sections 307, 323, 143, 147, 149, 506 of the Indian Penal Code.

3. Learned Counsel for the applicants seeks pre-arrest bail on the ground of parity. He submits that the only allegation as against the applicants is, that they were present at the spot, at the time of the incident. He submitted that no overt act has been attributed to any of the applicants.

4. Learned APP does not dispute the aforesaid fact.

5. Perused the papers. According to the prosecution, there was a dispute in respect of a land between the complainant and co-accused – Dashrath Jagtap. It is alleged that on 5th January, 2017 at about 8.00 a.m., the applicants' alongwith co-accused – Dashrath Jagtap, Suresh Jagtap and other co-accused assaulted the complainant and dragged her in front of the house; thereafter Suresh Jagtap is alleged to have poured kerosene on her person and Dashrath is alleged to have lit a matchstick and thrown it on the complainant's person, as a result of which the complainant sustained 37% burn injuries. Admittedly, no overt act has been attributed to the applicants. The applicants are alleged to have been present at the spot at the time of the incident. The role of the applicants is similar to the other co-

accused who have been granted pre-arrest bail by this Court (Coram:Mrs.Mridula Bhatkar, J.) vide order dated 20th March, 2017 passed in Criminal Anticipatory Bail Application No.482 of 2017.

6. Considering the aforesaid, the applications are allowed and the applicants are granted pre-arrest bail on the following terms and conditions:

ORDER

(i) In the event of the arrest, the applicants be enlarged on bail on executing P.R. Bond in the sum of Rs.15,000/- each with one or two sureties in the like amount ;

(ii) The Applicants shall not tamper with the evidence or attempt to influence the complainant, witnesses or any person concerned with the case;

(iii) The Applicants shall inform their latest place of residence and mobile contact number and/or change of residence or mobile details, if any, from time to time to the trial Court as well as to the

Investigating Officer of the concerned Police Station, in writing;

(iv) The Applicants shall co-operate with the Investigating Agency.

7. The Applications are allowed in the aforesaid terms and are accordingly disposed of.

8. It is made clear that the observations made herein are *prima facie* and are confined to the aforesaid applications.

9. All concerned to act on the authenticated copy of this order.

REVATI MOHITE DERE, J.