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

CRIMINAL ANTICIPATORY BAIL APPLICATION NO.532 OF 2017

Raja Subhash Salunkhe	...Applicant
Versus	
The State of Maharashtra	...Respondent

Mr.V.L.Kolekar, for the Applicant.

Ms.S.S.Kaushik, A.P.P. for the Respondent-State

PSI - S.M.Khanvilkar, Sahakarnagar Police Station, Pune City.

CORAM : REVATI MOHITE DERE, J.

DATE : 30th MARCH, 2017

P.C. :

1. Heard learned counsel for the applicant and learned APP for the Respondent – State.

2. By this application, the applicants seek pre-arrest bail in connection with C.R.No.67 of 2017 registered with the Sahakarnagar Police Station, Pune, for the alleged offences punishable under Sections 143, 144, 145, 146, 147, 148, 149, 307, 323, 504 and 506 of the Indian

Penal Code.

3. Learned Counsel for the applicant submitted that the applicant has not been named in the FIR. He submitted that infact, no such incident as alleged has taken place.

4. Learned APP does not dispute the fact that the applicant has not been named by the complainant and injured – Sameer Kamble. She submitted that Sameer in his FIR dated 23rd February, 2017 has mentioned that Yogesh, Shubham, Vikas, Abhijeet, Pritam, Omkar, Aadesh, Amar and two unknown persons assaulted him with swords and sticks. She has tendered the injury certificate of Sameer Kamble issued by Sassoon General Hospitals, Pune. The same is taken on record.

5. Perused the papers. According to the complainant – Sameer Kamble, he was assaulted by 8 named persons and 2 unknown person with swords and sticks. Sameer had attributed a specific role to Yogesh and other named accused. The name of the applicant has not been mentioned in the FIR nor any specific role is attributed to the unknown persons.

Although it is alleged that 10 persons assaulted the complainant - Sameer with swords and sticks, the injury certificate dated 23rd February, 2017, issued by the Sassoon General Hospitals, Pune shows ; (i) abrasion on left palm base of middle finger 0.5 X 0.5 cm and (ii) blunt trauma to left side of back and shoulder. The nature of injuries are stated to be simple and the injury is stated to be caused by hard and blunt object.

6. Considering the aforesaid, the custody of the applicant is not required. The application is allowed and the applicant is granted pre-arrest bail on the following terms and conditions :-

ORDER

- i) In the event of arrest, the Applicant be enlarged on bail on furnishing P.R.Bond in the sum of Rs.15,000/- with one or two sureties in the like amount;
- ii) The Applicant shall attend the concerned police station, every Monday, between 11.00 a.m. to 12.00 noon, till the filing of the charge-sheet and thereafter as and when called for by the Investigating Officer ;
- iii) The applicant shall inform his latest place of residence and

mobile contact number immediately after being released and/or change of residence or mobile details, if any, from time to time to the trial Court as well as to the concerned Police Station, in writing;

- iv) The Applicant shall not tamper or attempt to influence the complainant or any persons concerned with the case;
- v) The Applicant shall co-operate in the conduct of the trial.

7. The Application is allowed and disposed of in above terms.

8. It is made clear, that the observations made herein, are prima-facie, for the purpose of deciding this application.

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

(REVATI MOHITE DERE, J.)