

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL ANTICIPATORY BAIL APPLICATION NO. 634 OF 2017**

1. Sanjay Somala Jadhav,	
2. Rakesh Bhoju Rathod	
3. Vinod Bhanudas Pawar,	
4. Nitish Bhanudas Pawar	...Applicants
Versus	
The State of Maharashtra	...Respondent

Mr. U. R. Agandsurve for the Applicants

Mr. S. S. Pednekar, A.P.P for the Respondent-State

CORAM : REVATI MOHITE DERE, J.
WEDNESDAY, 12th APRIL, 2017

P.C.

1. Heard learned Counsel for the applicant and the learned A.P.P for the State.

2. By this application, the applicants seek pre-arrest bail in connection with C.R. No. 113 of 2017 registered with the Solapur Taluka Police Station, Solapur, for the alleged offences punishable under Sections 143, 147, 149, 452, 427, 323 of the Indian Penal Code and under Section 135 of the Bombay Police Act.

3. Learned Counsel for the applicants seeks bail on the ground of parity. He submits that similarly placed co-accused i.e. Vijay Umakant Rathod and Manoj Kisan Rathod have been granted pre-arrest bail by this Court vide order dated 23rd March, 2017 passed in Anticipatory Bail Application No. 508 of 2017. He submits that although the applicants have been named in the FIR and are alleged to have assaulted the complainant-Madhuri Pawar, Sumitra Pawar and Satish Pawar with fist and kick blows, none of the said persons have received any injuries.

4. Learned A.P.P does not dispute the fact that similarly placed co-accused have been granted pre-arrest bail by this Court.

5. Perused the papers and the order by which the co-accused have been enlarged on bail. It appears that there are cross cases which have been filed, as the incident was the outcome of a sudden quarrel which took place between the parties. Learned A.P.P has not placed on record the injury certificate of the injured. He states that none of the injured have suffered any injury. The applicants do not have any antecedents.

6. Considering the aforesaid, the application is 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.20,000/- each, with one or two solvent sureties in the like amount ;

(ii) The applicants shall cooperate with the investigating agency and shall report to the Investigating Officer of the concerned Police Station on every Saturday and Sunday between 11:00 a.m. to 1:00 p.m.;

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

(iv) The applicants shall inform their latest place of residence

and mobile contact numbers and/or change of residence or mobile details, if any, from time to time to the Court seized of the matter and to the Investigating Officer of the concerned Police Station;

6. The application is accordingly disposed of.
7. It is made clear that the observations made herein are *prima facie*, for the purpose of deciding this application.
8. All concerned to act on the authenticated copy of this order.

REVATI MOHITE DERE, J.