

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

CRI. ANTICIPATORY BAIL APPLICATION NO.722 OF 2017

Tulsidas Kalidas Patil @ Bandya & Ors. .. Applicants

Vs.

The State of Maharashtra .. Respondent

.....
Mr. S.G. Kudle, Advocate for the Applicants.
Mr. R. M. Pethe, APP for the Respondent - State.
.....

CORAM : PRAKASH D. NAIK, J.

DATED : JUNE 6, 2017.

P.C. :

Applicants are apprehending arrest in connection with C.R.No.I-122 of 2017, registered with Mumbra Police Station, District - Thane for the offences punishable under Sections 307, 323, 324, 504, 143, 148 and 149 of the Indian Penal Code and under Sections 37(1) and 135 of Maharashtra Police Act.

2 The prosecution case is that the complainant and others were assaulted by group of people. The role, that is assigned to the applicants is that they had assaulted the injured persons by fist blows.

3 Learned advocate for the applicants submitted that they have been falsely implicated on account of political rivalry. He submitted that there is no evidence to justify the offence under Section 307 of the IPC. He further submitted that there is no specific overact attributed to the applicants in the alleged crime. On perusal of the FIR, it is apparent that the role that has been attributed to the applicants is of giving fist blows. I have perused the medical certificate of Mayur Bhoi and Vishnu Tiwari which was pointed out by the learned APP. It is noticed that the said injured person had sustained simple injuries.

4 Taking into consideration the nature of injuries and the role attributed to the applicants, I am inclined to confirm the interim order passed by this Court.

5 Hence, I pass the following order:

:: ORDER ::

- (i) Interim order dated 27th April, 2017 is confirmed;

- (ii) The applicants are directed to co-operate with the investigation and to attend the investigating officer, as and when called for;
- (iii) The applicants shall not tamper with the prosecution witnesses;
- (iv) Anticipatory Bail Application stands disposed of.

(PRAKASH D. NAIK, J.)