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

ANTICIPATORY BAIL APPLICATION NO.731 OF 2017

Nitin Ankush Lokhande

...Applicant

Versus

The State of Maharashtra

...Respondent

Mr.P.G.Sarda, i/b Mr.S.T.Zalte, for the Applicant

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

PSI – Rajkumar Prabhakar Kendre, Wakad Police Station, Pune.

CORAM : REVATI MOHITE DERE, J.

DATE : 3rd MAY, 2017

P.C. :

1. Heard learned Counsel for the applicant and the learned A.P.P.
2. By this application, the applicant seeks pre-arrest bail in connection with C.R. No. 151 of 2017 registered with the Wakad Police Station, Pune, for the alleged offences punishable under Sections 326, 324, 323, 452, 143, 147 and 149 of the Indian Penal Code.
3. Learned counsel for the Applicant submits that the Applicant

has not been named in the FIR. He submits that the allegations are that co-accused Baburao Lokhande assaulted the Complainant – Mohan Kaname and that other unknown persons assaulted Shankar and Balaji (Complainant's brothers) with iron rods which were lying in the room; and that all the accused are alleged to have abused the Complainant and his brothers.

4. Perused the papers. Learned APP has produced the Injury Certificates of Mohan, Balaji and Shankar. Balaji and Shankar's Injury Certificates are of a private hospital. The Certificate shows that Shankar had received one injury on his left elbow joint and Balaji had received injuries on his left knee, right ankle and left palm. The injuries sustained by Balaji and Shankar appear to be simple injuries. As far as Mohan is concerned, he has sustained grievous injury. The same is stated to have been caused by Baburao Lokhande. Admittedly, the Applicant alongwith other accused were not armed with any weapons, when they had gone to the Complainant's house.

5. Considering the aforesaid, the Application is allowed and the

applicant is granted pre-arrest bail on the following terms & conditions:-

ORDER

- (i) In the event of the arrest, the applicant be enlarged on bail on executing P.R. Bond in the sum of Rs.20,000/- with one or two sureties in the like amount ;
- (ii) The applicant shall report to the Investigating Officer of the concerned Police Station on the first Monday of every month between 10.00 a.m. to 11.00 a.m., for a period of 12 months from the date of filing of the charge-sheet;
- (iii) The applicant shall not tamper with the evidence or attempt to influence the complainant, witnesses or any person concerned with the case.
- (iv) The Applicant shall co-operate with the Investigating Agency.

6. The Application is allowed in the aforesaid terms and is accordingly disposed of.

7. It is made clear that the observations made herein are *prima facie* and are confined to this application.
8. All concerned to act on the authenticated copy of this order.

(REVATI MOHITE DERE, J.)