

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPTORY BAIL APPLICATION NO. 866 OF 2017**

Prakash Mahadev Bhilare

...Applicant

Versus

The State of Maharashtra

...Respondent

Mr. Sanjeev P. Kadam for the Applicant

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

CORAM : REVATI MOHITE DERE, J.
WEDNESDAY, 14th JUNE, 2017

P.C.

1. Heard learned Counsel for the parties.
2. By this application, the applicant seeks pre-arrest bail in connection with C.R. No. 65 of 2017 registered with the Koregaon Police Station, Pune, for the alleged offences punishable under Sections 323, 504, 506, 427 r/w 34 of the Indian Penal Code.
3. The incident has taken place on 29th March, 2017. According to the prosecution, it is the applicant's son, who has actually inflicted a

blow with a koyta on the complainant. Admittedly, the applicant was not wielding any weapon. It is also not in dispute that the applicant himself was undergoing treatment in the hospital for the injuries sustained by him, allegedly at the hands of the complainant. This Court vide order dated 11th May, 2017, granted interim protection to the complainant on certain terms and conditions. The applicant has abided by the said conditions.

4. Considering the aforesaid, the application is allowed and the applicant is granted pre-arrest bail, on the following terms and 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.15,000/- with one or two sureties in the like amount;
- (ii) The applicant shall deposit his passport, if any, to the Investigating Officer of the concerned Police Station;
- (iii) The applicant shall not attempt to contact or influence the complainant, witnesses or any person concerned with the case;

- (iv) The applicant to cooperate with the conduct of the trial.
5. The application is accordingly disposed of on the aforesaid terms.
6. It is made clear that the observations made herein are *prima facie*, for the purpose of deciding this application.
7. All concerned to act on the authenticated copy of this order.

REVATI MOHITE DERE, J.