

Anand

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

BAIL APPLICATION NO.1205 OF 2017

Akash Pandurang Lokre .Applicant

Vs.

The State of Maharashtra .Respondent

**WITH
BAIL APPLICATION NO.1206 OF 2017**

Vaibhav Ramchandra Lokre .Applicant

Vs.

The State of Maharashtra .Respondent

Mr.U.R.Mankapure, Advocate, for the Applicants in both matters
Mrs.P.P.Shinde, APP, for the Respondent - State in
B.A.No.1205 of 2017

Ms Anamika Malhotra, APP, for the Respondent - State in
B.A.No.1206 of 2017

CORAM : REVATI MOHITE DERE, J.

DATE : 13.06.2017

P.C.

. Heard learned counsel for the parties.

2. By these Applications, the Applicants seek their enlargement on bail in connection with C.R.No.138 of 2017 registered with the Pandharpur Taluka Police Station, District - Solapur, for the alleged offences punishable under Sections 143,

147, 148, 149, 307, 326, 325, 201, 323, 504, 506 of the Indian Penal Code and under Section 135 of the Bombay Police Act.

3. Learned counsel for the Applicants state that the only allegation qua the Applicants is that they assaulted the Complainant, Ankush and Rahul with fist and kick blows. He submits that the Applicants have been in custody for more than three months.

4. Learned APP states that according to the statement of witnesses, the Applicants are alleged to have assaulted the Complainant, Ankush & Rahul with fist and kick blows. Learned APP has tendered the Injury Certificate of the Complainant. As far as Akash and Rahul are concerned, their Injury Certificates have not been produced.

5. Perused the papers.

6. The incident in question has taken place on 11.03.2017 at about 11.40 a.m. It is alleged that when the measurement of land was going on, the accused came there armed with weapons i. e. koyta and wooden sticks. As far as the

Applicants are concerned, they are alleged to have assaulted the Complainant, Ankush and Rahul with fist and kick blows. The Injury Certificate of the Complainant shows that he has sustained three injuries. The weapon is stated to be by hard and blunt object. No Injury Certificate of either Rahul or Ankush has been placed on record by the prosecution.

7. Considering the role of the Applicants and the fact that there are no antecedents against the Applicants, the Application is allowed and the Applicants are enlarged on bail on the following terms & conditions:-

O R D E R

(i) The Applicants be enlarged on bail, on executing PR Bond in the sum of **Rs.10,000/- each** with one or two sureties in the like amount;

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

(iii) The Applicants shall inform their 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 Court seized of the matter and to the

Investigating Officer of the concerned Police Station.

8. The Applications are allowed in the aforesaid terms and are accordingly disposed of.

9. It is made clear that the observations made herein are *prima facie*, and the trial Court shall decide the case on its own merits, in accordance with law, uninfluenced by the observations made in this order.

Parties to act on the authenticated copy of this order.

(REVATI MOHITE DERE, J.)