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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO.960 OF 2017

1. Bhalchandra alias Shashikant Chandrakant Jadhav .Applicants
2. Uday Chandrakant Jadhav
3. Chandrakant Dinkar Jadhav

Vs.

The State of Maharashtra .Respondent

Mr.J.D.Mane, Advocate, for the Applicants
Mrs.P.P.Shinde, APP, for the Respondent – State

CORAM : REVATI MOHITE DERE, J.

DATE : 15.06.2017

P.C.

. Heard learned counsel for the parties.

2. By this Application, the Applicants seek pre-arrest bail in connection with C.R.No.293 of 2017 registered with the Karmala Police Station, District – Solapur, for the alleged offences punishable under Sections 354, 452, 323, 504, 506 r/w.34 of the Indian Penal Code.

3. After arguing for some time, learned counsel for the Applicants does not press this Application qua the Applicant No.1.

4. Perused the papers.

5. It appears that the incident in question has taken place on 19.05.2017 in the house of the Complainant. It appears that the Applicants had entered the house of the Complainant and had abused her when she was alone in the house. According to the Complainant, the Applicant No.1 pushed her on the ground, tore her blouse and outraged her modesty. The Applicant No.2 is alleged to have sat on the Complainant's thighs and given fist blows. She has stated that she started shouting loudly, pursuant to which her son came to the spot. She has alleged that the Applicant No.2 assaulted her son, Somnath. According to the Complainant, thereafter, her son informed her husband on phone. The Applicant No.3 is alleged to have abused her in filthy language and threatened her. The Injury Certificate of the Complainant shows that she has sustained multiple injuries on her neck, abrasion on her left wrist medial, and blunt trauma over her left thigh middle. Somnath had sustained two contusions and one abrasion. The injuries are stated to be simple injuries. It also appears that a similar complaint was lodged by the Complainant in 2016 as against the Applicant Nos.1 & 2 and others alleging an offence punishable under Section 354 of the

Indian Penal Code, for outraging her modesty.

6. Considering the role of the Applicant Nos.2 & 3, the Application is allowed qua them on the following terms & conditions:-

O R D E R

(i) In the event of arrest, the Applicant Nos.2 & 3 namely Uday Jadhav & Chandrakant Jadhav be enlarged on bail, on executing PR Bond in the sum of **Rs.25,000/- each** with one or two sureties in the like amount;

(ii) The Applicant Nos.2 & 3 shall not tamper with the evidence or attempt to influence or contact the complainant, witnesses or any person concerned with the case;

(iii) The Applicant Nos.2 & 3 shall inform their latest place of residence and mobile contact number immediately 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;

(iv) The Applicant Nos.2 & 3 to cooperate with the conduct of the trial;

(v) As far as the Applicant No.1 – Bhalchandra Jadhav is concerned, learned counsel for the Applicants does not press this

Application qua the Applicant No.1, and as such, the Application is dismissed qua him.

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

8. 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.)