

Anand

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

ANTICIPATORY BAIL APPLICATION NO.998 OF 2017

1. Nagnath Walappa Rathod .Applicants
2. Vinod Nagnath Rathod
3. Vikas Nagnath Rathod

Vs.

The State of Maharashtra .Respondent

Mr.U.R.Agandsurve, Advocate, for the Applicants
Ms Anamika Malhotra, APP, for the Respondent –
State

CORAM : REVATI MOHITE DERE, J.

DATE : 23.06.2017

P.C.

. Heard learned counsel for the parties.

2. By this Application, the Applicants seek pre-arrest bail in connection with C.R.No.42 of 2017 registered with the Salgarwasti Police Station, Solapur, for the alleged offences punishable under Sections 307, 326, 363, 323, 143, 147, 148, 149, 504 and 506 of the Indian Penal Code.

3. Learned counsel for the Applicants states that the only allegation qua the Applicants is that they assaulted the injured with fists and kick blows. He submitted that it is Gurunath Rathod, Ramesh Rathod and Prakash Rathod, who were alleged to have assaulted with iron pipes and iron rods. He submits that the Applicants have no antecedents.

4. Learned APP does not dispute the fact, that the allegations against the Applicants is, that they assaulted the injured with fists and kick blows. She also does not dispute the fact, that the Applicants were not armed with any weapons. She also does not dispute, that there are no antecedents qua the Applicants.

5. In the facts, considering the role of the Applicants, custodial interrogation of the Applicants is not required. Accordingly, the Application is allowed and the Applicants are

granted pre-arrest bail on the following terms and conditions:-

O R D E R

(i) In the event of arrest, the Applicants be enlarged on bail, on executing PR Bond in the sum of **Rs.15,000/- each** with one or two sureties in the like amount;

(ii) The Applicants shall attend the concerned Police Station **as & when called for** by the investigating officer.

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 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.)