

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPTORY BAIL APPLICATION NO. 1246 OF 2017**

Baban Bayaji Atole

...Applicant

Versus

The State of Maharashtra

...Respondent

Mr. Kuldip S. Patil i/b Mr. Prashant S. Hagare for the Applicant

Ms. Anamika Malhotra, A.P.P for the Respondent-State

API Mr. P. V. Kale from Baramati Taluka Police Station, Baramati, is present

CORAM : REVATI MOHITE DERE, J.
FRIDAY, 28th JULY, 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. 236 of 2017 registered with the Baramati Taluka Police Station, Baramati, for the alleged offences punishable under Sections 143, 147, 148, 149, 307, 452, 326, 324, 323, 504, 506 of the Indian Penal Code and under Section 135 of the Maharashtra Police Act.

3. Learned Counsel for the applicant states that with respect to the incident dated 26th May, 2017, there is a cross case filed by the applicant's side. He submitted that no specific role has been assigned to the applicant and that the allegations as against the applicant are general in nature. He submits that similarly placed co-accused – Shashikala Balu Gawade and Tai Namdev Gawade, have been granted pre-arrest bail by this Court.

4. Learned A.P.P does not dispute the aforesaid. It is not in dispute that the allegations as against the applicant is general in nature. It is also not in dispute that there is a cross case filed by the applicant's side and that in all there are 17 accused in the said case.

5. 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 attend the concerned Police Station as and when called, till the filing of the charge-sheet or for a period of three months from today, whichever is earlier;

(iii) The applicant shall inform his 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 trial Court, as well as to the concerned Police Station, in writing;

(iv) The applicant shall cooperate in the conduct of the trial.

6. The application is accordingly disposed of.

7. It is made clear that the observations made herein are *prima facie*, for the purpose of deciding this application.

8. All concerned to act on the authenticated copy of this order.

REVATI MOHITE DERE, J.