

Anand

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

ANTICIPATORY BAIL APPLICATION NO.1278 OF 2017

1. Gundappa Dharmanna Sasve .Applicants
2. Ankush Suresh Sasve
3. Indubai Suresh Sasve
4. Ujwala Gudappa Sasve
5. Laxman Adyappa Sasve

Vs.

The State of Maharashtra .Respondent

Mr.Tassawar Sagari, Advocate, for the Applicants
Mrs.P.P.Shinde, APP, for the Respondent – State

CORAM : REVATI MOHITE DERE, J.

DATE : 21.07.2017

P.C.

. Heard learned counsel for the parties.

2. By this Application, the Applicants seek pre-arrest bail in connection with C.R.No.181 of 2017 registered with the Valsang Police Station, Solapur(Rural), for the alleged offences punishable under Sections 307, 327, 341, 452, 427, 143, 147, 148, 149, 504 & 506 of the Indian Penal Code.

3. Learned counsel for the Applicants submits that with

respect to the incident dated 23.04.2017, a cross complaint has been lodged from the Applicants' side, being C.R.No.183 of 2017 alleging the same offences. He submits that the Applicants have sustained serious injuries in the said incident. He relied on the Injury Certificates which are on page No.18 to 25 of the Application. He submits that the Complainant – Suresh Dharmanna Sasve in C.R.No.183 of 2017 has sustained grievous injuries on the right parietal occipital area and left side chest. He submits that the Applicant No.1 – Gundappa Sasve has sustained one CLW on the right parietal region and one grievous injury on his right hand. He further submits that the Applicant No.2 – Ankush Sasve has sustained three injuries i. e. CLW on the right parietal region and left parietal region and that Applicant No.5 – Laxman Sasve has sustained four injuries. He submits that infact, the injuries sustained by the Complainant and Dhondiba in the present C.R. i. e. C.R.No.181 of 2017, are simple in nature i. e. CLW on the right parietal region of the Complainant and one simple injury on Dhondiba Khetri.

4. Learned APP does not dispute the aforesaid.

5. Perused the papers. It is not in dispute, that with respect to the incident dated 23.04.2017, there is a cross case lodged by the

Applicants' side. It also appears that five persons on the Applicants' side have received injuries and that some have sustained grievous injuries. It appears that there is some dispute, with respect to the agricultural land, on account of which the aforesaid incident took place. The nature of injuries sustained by the Complainant in the present C.R.No.181 of 2017 are simple in nature and so is the injury sustained by Dhondiba Khetri.

6. Considering the aforesaid, custodial interrogation of the Applicants is not required. Accordingly, the Application is allowed the Applicants are granted pre-arrest bail on the following terms & conditions:-

ORDER

(i) In the event of arrest, 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 report to the investigating officer of the concerned police station on **every Monday between 10.00 a.m. and 11.00 a.m.** till the filing of the charge-sheet or for a period of three months whichever is earlier.

7. The Application is 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.)