

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

CRIMINAL BAIL APPLICATION NO.1757 OF 2017

Vishal Prakash Awatade and others	..Applicants
Versus	
State of Maharashtra	..Respondent

Mr. M. S. Mohite i/by Mr. Veerdhaval Kakade for the Applicant.

Mr. S. S. Hulke, APP for the Respondent - State.

**CORAM : T. V. NALAWADE, J.
DATE : 21st AUGUST 2017**

PC.

1 The application is filed for bail in C. R. No.411 of 2017 registered at Loni Kalbhor Police Station for the offences punishable under Sections 143, 147, 148, 323, 324, 325, 326, 504 and 506 of the Indian Penal Code.

2 Both the sides are heard. Papers of investigation are made available for perusal of this Court.

3 The crime was registered on 14.06.2017 with Loni Kalbhor Police Station for the offences punishable under Sections 143, 147, 148, 323, 324, 325, 326, 504 and 506 of the Indian Penal Code on the basis of the report given by Ajay Awatade. There is political rivalry between the Complainant side and the Applicant side. The incident took place on

13.06.2017. On that day, initially some quarrel took place between the present Applicant Vishal Awatade and his two brothers and Complainant Ajay Awatade. It is contended that after that quarrel in the night time at about 9.45 p.m. the Applicants armed with a sword and wooden sticks came in front of the Complainant's house and started abusing him. At that time, the Applicants assaulted the Complainant, his mother, his cousin brother and wife of the brother. Allegations are made that during the quarrel, injuries were caused to his head and other portions of the body. The medical certificate shows that he sustained fracture injury to his head and other grievous injuries. However submissions made show that there are no bad antecedent against the Applicants. Record shows that Rahul sustained two grievous injuries. The submissions made show that FIR was filed by the Applicants side also and crime came to be registered for offences punishable under Sections 324 and 124 of the Indian Penal Code.

4 In view of the reason behind the quarrel i.e. political rivalry and the fact that Applicants are behind the bars since 23.06.2017, this Court holds that it is not desirable to keep the Applicants behind the bars till the disposal of the proceedings filed against them.

5 In the result, the application is allowed. Applicants are to be

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released on furnishing P.B. and S.B. of Rs.15,000/- with one surety in the like amount. The Applicants are not to tamer with prosecution witnesses. They are not to commit similar offences.

[T. V. NALAWADE, J]