

IN THE HIGH COURT OF JUDICATURE AT BOMBAY***CRIMINAL APPELLATE JURISDICTION*****ANTICIPATORY BAIL APPLICATION NO. 1418 OF 2017****Bhagwan Doula Bajbalkar & Anr.****..... Applicants****VERSUS****State of Maharashtra,
Through Sangola Police Station,
Dist. : Solapur****..... Respondent**

Mr.Manoj Patil for the Applicant.

Mr.S.S.Hulke, A.P.P. for the State.

CORAM : T.V.NALAWADE, J.**DATE : 9th AUGUST, 2017****P.C.**

The application is filed for relief. Both the sides are heard. The papers of investigation were made available to this court for perusal.

2. In respect of the incident dated 2nd July,2017, a report was given on 12th July, 2017 by the first informant Ishwar Bajbalkar. He has made allegations that at about 6 p.m. when he was returning home, the main applicants intercepted him and picked up quarrel. He has contended that Bhagwan used stick and gave blow of stick on his face and both the accused then assaulted him by using stones. It is his contentions that he was admitted in hospital of one Dr.Gawde, Sangola and when he recovered, he approached police.

3. The nature of allegations show that Dr.Gawde had not informed to concerned police station about the history which has been given by injured to police. The submission shows that there is civil dispute between the parties. In view of the nature of the weapons shown to be used in the incident and delay of more than 10 days for giving FIR, this court holds that the application deserves to be allowed. In the result, the following order :-

- (a) The application is allowed.
- (b) The case of arrest of both the applicants in C.R.No.482 of 2017 registered in Sangola Police Station, District Solapur for offences punishable under sections 326, 34 etc. of Indian Penal Code, the applicants are to be released on bail on their furnishing P.B. and S.B. of Rs.15,000/- (Rupees Fifteen Thousand Only) by each of them.
- (c) The applicants are not to tamper with prosecution witnesses.
- (d) They are not to commit similar offences.
- (e) They are to visit the concerned police station on every Sunday between 9 a.m. and 12 noon for a period of one month and they are to co-operate police during investigation.

(T.V.NALAWADE, J.)