

Anand

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

BAIL APPLICATION NO. 2259 OF 2017

1. Jagannath Baban Dagade .Applicants
2. Rama Anna Mane
3. Mahendra Rama Mane
4. Samindra Jaagannath Dagade

Vs.

The State of Maharashtra .Respondent

Mr. G. S. Jadhav, Advocate, for the Applicants
Mr. S. S. Hulke, APP, for the Respondent – State

CORAM : A.S.GADKARI, J.

DATE : 06.11.2017

P.C.

. This is an Application under Section 439 of Cr. P.C. for bail in CR No. 253 of 2017 registered with Jejuri Police Station, Pune (Rural) under Sections 143, 147, 148, 149, 452, 323, 326, 504, 506 & 337 of the Indian Penal Code.

2. It is the prosecution case that there are disputes between the family members of the Applicants and the family members of the first informant namely Baban Khandu Dagade. That due to the said enmity, on 08.09.2012 at about 8.00 a.m., it is alleged that the Applicants alongwith Vikas Jagannath Dagade assaulted the first informant and his

family members. It is categorically alleged that accused – Vikas Dagade with the reverse side of Axe assaulted first informant on his right hand wrist. That the Applicant No.4 - Samindra Dagade hurled a brick at the first informant which hit on his back and the Applicant No.2 – Rama Mane threw a stone at the first informant which hit on his forehead. In the premise, the first information report is lodged.

3. Perused the record of investigation. It indicates that the first informant - Baban Dagade has received an abrasion on his forehead and blunt injury to his right forearm. Prima facie, it appears that the allegations made against the Applicants are general in nature which do not corroborate medical evidence on record. It is informed that the investigation in the present crime is completed and charge sheet will be filed within one week from today.

4. In view of the above, the further incarceration of the Applicants is not necessary and the Applicants can be released on bail.

Hence, the following order.

(i) The applicants be released on bail in CR No. 253 of 2017 registered with Jejuri Police Station, Pune (Rural) on their furnishing PR bond of Rs.15,000/- each with one or two solvent local sureties in the like amount;

(ii) After their release from Jail, applicants shall attend the

Jejuri Police Station, Pune (Rural) on every 1st Monday of the month between 10.00 a.m. to 12.00 noon till the conclusion of trial;

(iii) Applicants shall not tamper with the evidence and/ or influence the prosecution witnesses.

5. Application is allowed in the aforesaid terms.

(A.S.GADKARI, J.)