

FARAD CONTINUATION SHEET NO.
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE SIDE

ANTICIPATORY BAIL APPLICATION NO.1774 OF 2017

Balkrishna Shedge & Anr. Vs. State of Maharashtra

Office Notes, Office Memoranda of Coram,
appearances, Court's orders or directions
and Registrar's orders.

Court's or Judge's orders

Mr. Satyavrat Joshi for Applicants.
Mr. A.A. Palkar, APP for State.

CORAM : A.S. GADKARI, J.
DATE : 9th October 2017.

- 1] The applicants are apprehending arrest in CR No. 117 of 2017 registered with Paud Police Station, Pune (Rural) dated 16.4.2017 under Section 307, 326, 323, 143, 147, 148, 149, 336, 504 and 506 of the Indian Penal Code.
- 2] The first information report is lodged by Shri Dinesh D. Kandhare against the present applicants and other 8 accused persons alleging that due to earlier enmity, the co-accused Umesh assaulted Sachin with sickle and other accused persons hurled stones on the other witnesses causing injuries to them. During the course of investigation, other 8 co-accused persons were arrested by the police and they have been released on regular bail. After completion of investigation, the police have submitted chargesheet.

3] Learned Counsel for the applicants submitted that there is a cross case filed by Amol Shedge (Accused No.4 in the present crime) bearing CR No.118 of 2017 alleging that the persons from the group of the first informant namely Dinesh Kandhare and other accused persons assaulted the first informant and applicants herein with stones and fist blows on the date of incident. He submitted that all the accused persons in the said crime No.118 of 2017 have been released on bail. He submitted the investigation of the present crime is over and there is no specific overt-act has come on record against the present applicants and therefore the applicants may be granted pre-arrest bail.

4] Perused the record of investigation. The record indicates that there is a cross case registered at the instance of accused No.4-Amol against the first informant Dinesh and other other persons bearing Crime No.118 of 2017 with the said police station. Bare perusal of the chargesheet annexed to the application would reveal that no specific overt-act is attributed to the present applicants in the incident and apart from general statements i.e. the accused hurled stones at the injured persons in CR No.117 of 2017, there is no other material on record. In view thereof, for the time being, the applicants can be granted pre-arrest bail by directing him to attend the Investigating Officer and to join the process of investigation.

Hence the following Order:

- (i) In the event of arrest of the applicants in CR No.117 of 2017 registered with Paud Police Station, Pune (rural) the applicants shall be released

on bail on their furnishing PR bond in the sum of Rs.25,000/- each with one or two solvent local sureties in the like amount.

(ii) The applicants shall attend the Investigating Officer on every 1st Monday of the month till conclusion of trial and to join the process of investigation.

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

(iv) Applicants shall attend all dates before the Trial Court.

5] Application is allowed in the aforesaid terms.

(A.S. GADKARI, J.)