

Anand

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

BAIL APPLICATION NO. 2561 OF 2017

1. Rambo alias Shrikant Changdev Thorat .Applicants
2. Jayvant alias Revan Jayprakash Kharat

Vs.

The State of Maharashtra .Respondent

Mr. M. A. Choudhari, Advocate, for the Applicants
Mr. A. A. Palkar, APP, for the Respondent – State

CORAM : A.S.GADKARI, J.

DATE : 05.12.2017

P.C.

. This is an Application under Section 439 of Cr. P.C. for bail in CR No. 552 of 2017 registered with Sadar Bazar Police Station, Solapur under Sections 307, 504, 506, 143, 147, 148, 149 of the Indian Penal Code and under Section 135 of the Bombay Police Act.

2. The first information report is lodged by Shri Chetan N. Gaikwad. It is the prosecution case that due to the earlier enmity between Pruthvi alias Prem N. Gaikwad and Ashley Robert Anthony, (co-accused) Vrishabha alias Jacky C. Thorat and Atul Gode alias Ziprya S. Dhantulwar alongwith other accused persons assaulted, injured witness Pruthvi Gaikwad with swords and iron rod. During the

course of investigation, the Applicants came to be arrested on 19.09.2017.

3. Perused the record of investigation.

The injured witness namely Pruthvi Gaikwad in his statement has attributed role of assault by iron rod on head to Atul Gode alias Ziprya S. Dhantulwar and assault by sword to Vrishabha alias Jacky C. Thorat. The Medical Certificate corroborates the said version of two major injuries to the injured witness. It appears from the record that the Applicant No. 1 was present at the scene of offence with a sword in his hand. As far as the Applicant No. 2 is concerned, prima facie, it appears that he has not been named either by the injured witness or by the first informant in any of their statements. The learned APP submitted that the weapons used in the present crime namely two swords and two iron rods have been recovered at the instance of Applicant No. 2 – Jayvant Kharat. As noted earlier, prima facie, it appears that the Applicants herein have not played any vital role in the present crime.

4. In view thereof, the Applicants can be released on bail.

Hence, the following Order:

(i) The Applicants be released on bail in CR No. 552 of 2017 registered with Sadar Bazar Police Station, Solapur on their furnishing

PR bond of Rs. 25,000/- each with one or two separate solvent local sureties in the like amount.

(ii) After their release from the jail, the Applicants shall attend the Sadar Bazar Police Station, Solapur on every 1st Monday of the month between 10.00 a.m. to 2.00 p.m. till submission of charge-sheet.

(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.)