

Sarnobat

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

CRIMINAL BAIL APPLICATION NO. 369 OF 2018

Balaji Babasaheb Kavade & Anr.

.. Applicants.

Vs.

The State of Maharashtra.

.. Respondent.

Mr. Tushar Narayan Sonawane, Advocate for the Applicants.

Ms. Veena Shinde, APP for the Respondent/State.

Mr. Sharanappa S. Kinagi, HC., Pandharpur Taluka Police Station, Solapur (Gramin) present.

CORAM : P. N. DESHMUKH, J.

DATE : 27TH FEBRUARY, 2018.

P. C. :

1. Heard learned counsel for the applicant and learned Additional Public Prosecutor.

2. This is an application for grant of bail by the applicants/accused in Crime No. 693/2017 registered with Taluka Police Station, Pandharpur for offences under Section 307, 325, 504, 506, 143, 147, 148, 149 of Indian Penal Code.

3. Learned counsel for the applicant at the outset by referring the contents of report submitted that no overt act is attributed to any of the applicants except for stating their names by the complainant.

4. Learned counsel contended that though investigation is complete, applicant be released on bail by imposing suitable

conditions.

5. Learned Additional Public Prosecutor on obtaining instructions from the investigating officer, who is present in the Court had contended that till today from the statement of witnesses recorded, no involvement of applicants as assailants is established.

6. Perusal of the report reveals that name of present applicants along with six other co-accused are mentioned in the report who on 4th December, 2017 were members of unlawful assembly and had extended threats to complainant's son Deepak. From the contents of report it reveals that on the following day applicant along with six other co-accused in the evening again abused complainant's son Deepak and in the incident of assault which took place immediately thereafter, no overt act is attributed to any of the applicants. Contents of report in the fag end reveals that complainant's brother Harishchandra forcibly administered poison like substance and extended threats to kill himself.

7. Having regard to the contents of report as aforesaid and as according to prosecution there is no sufficient evidence against the applicants establishing their involvement in the present crime, application is liable to be allowed as per order below ;

ORDER

i) The applicant shall be released on bail on their

executing PR bond in a sum of Rs. 20,000/- each with one surety in the like amount.

ii) While on bail, applicants shall mark their presence with Pandharpur Taluka Police Station on the first day of each month till filing of charge-sheet and shall not tamper with the investigation.

lii) Parties to act on copy of order duly authenticated by the Sheristedar.

[P. N. DESHMUKH , J.]