

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

BAIL APPLICATION No. 2257 of 2018.

Prashant @ Baba Namdeo Sawant	..Applicant.
Vs	
State of Maharashtra	..Respondent.

Mr. A.S.Khandeparkar a/with Ms Apoorva Khandeparkar I/by
Khandeparkar & Associates, for the Applicant.
Mr. Ajay Patil, APP for the State.

**CORAM: SMT. ANUJA PRABHUDESSAI, J.
DATE : 4TH SEPTEMBER, 2018**

P.C:-

- 1) This is an application under Section 439 of Criminal Procedure Code, filed by the aforesaid applicant, who is arrested in C.R.No. 217 of 2018 registered at Kankavli Police Station, District Sindhudurg for offences punishable under sections 307, 332, 353, 143, 147, 148, 149 of the Indian Penal Code read with Section 135 of the Bombay Police Act, 1951.
- 2) Heard Mr. A.S. Khandeparkar, learned counsel for the applicant and Mr. Ajay Patil, learned APP for the State. Perused the records and considered the submissions advanced by the learned counsels for the respective parties.
- 3) The aforesaid crime was registered pursuant to the first information report lodged by Ashish Ramchandra Shelatkar

who was a Police Naik at Sindhudurg Police Station. The first information report prima facie reveals that on 25th July, 2018 the first informant was deputed for duty to control agitation relating to “Maratha Reservation”. The first informant has stated that while he was trying to clear the Highway, the applicant pelted a stone at him and tried to cause his death. The first informant has stated that another person had also assaulted him by means of a wooden stick,. He had stated that he had sustained injuries in the said incident.

4) The record reveals that the first informant was referred for medical examination. The medical certificate prima facie reveals that he had suffered lacerated wound over head and sutured wound on right frontal region. The medical certificate does not specify the nature of the injury. There is no prima facie material to indicate that the injury was sufficient to cause death or was inflicted with intention of causing death.

5) On registration of the crime, the applicant came to be arrested on 27th July, 2018 and since then he is in custody. It is submitted that the applicant is a native of the State and he applicant has no antecedents and there is no likelihood that the applicant may attempt to evade justice.

6) Considering the above facts and circumstances, in my considered view, this is a fit case for grant of bail to the applicant. Hence, the following order :

- (i) Application is allowed.
- (ii) The applicant be released on bail in Crime No. 217 of 2018 registered with Kankavli Police Station, on his furnishing bail bonds of Rs. 25,000/- with one or two sureties in the like amount to the satisfaction of the concerned Investigating Officer.
- (iii) The applicant shall report to the Investigating Officer as and when required and called by the Investigating Officer.
- (iv) The applicant shall furnish his permanent and temporary addresses, if any, and his contact details to the Investigation Officer.
- (v) The applicant shall not change his residential address without prior intimation to the Investigation Officer.
- (vi) The applicant shall not interfere with the complainant/first informant, other witnesses and shall not tamper with the evidence in any manner.

(SMT. ANUJA PRABHUDESSAI, J.)