

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CRIMINAL APPELLATE JURISDICTION****ANTICIPATORY BAIL APPLICATION NO. 767 OF 2018**

Ritesh Janardhan More

....Applicant.

Vs.

The State of Maharashtra

....Respondent.

Mr. Rahul Kadam for the Applicant.

Mr. Ajay Patil APP, for the Respondent-State.

CORAM : A. S. GADKARI, J.

DATE : 29th NOVEMBER, 2018.

P.C.:-

By an Order dated 18th April, 2018, the Applicant was granted interim relief on the ground that, the Applicant has not been attributed with a role of assault by any type of weapon and was directed to attend the concerned police station on stipulated dates to join the process of investigation.

2 Heard Mr. Kadam, the learned counsel appearing for the Applicant and the learned APP. Perused the record.

The record indicates that, co-accused Shri. Gopi Dhotre and Rushikesh Aarte, who have been attributed the role of assault with sickle and sword respectively were arrested by the police and the

recovery of the weapons at their instance have been effected. They now have been released on regular bail.

3 As noted in Order dated 18th April, 2018, and as per the statements of the witnesses, the role attributed to the Applicant is that he allegedly assaulted the injured witness Ganesh Gaikwad with fist and kick blows.

The record further indicates that, the Applicant in pursuance of the Order dated 18th April, 2018 has attended the Investigating Officer and joined the process of investigation and nothing is to be recovered at the instance of the Applicant. The statements of witnesses indicate that, no major role is attributed to the Applicant in the said assault.

4 In view thereof, interim relief granted by an Order dated 18th April, 2018 is hereby confirmed. However, the condition to attend the Investigating Officer/Police station is waived.

5 Application is allowed in the aforesaid terms.

(A.S. GADKARI, J.)