

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

ANTICIPATORY BAIL APPLICATION NO. 820 OF 2018

Raj Balu KharatApplicant

V/s.

The State of MaharashtraRespondent

WITH

ANTICIPATORY BAIL APPLICATION NO. 821 OF 2018

Akshay Ajinath LondheApplicant

V/s.

The State of MaharashtraRespondent

Mr. P.B. Naiknaware for the applicants.

Mr. S.R. Agarkar, APP for the State.

CORAM: SMT. ANUJA PRABHUDESSAI, J.

DATED: 05th OCTOBER, 2018.

P.C.:

. These are the applications for anticipatory bail under section 438 of Criminal Procedure Code, filed by the aforesaid applicants, apprehending their arrest in C.R.No.506/2017 registered with Wakad Police Station, Pune for offences punishable under sections 307, 323, 504 r/w. 34 of the Indian Penal Code.

2. Heard Mr.P.B. Naiknaware, learned counsel for the applicants and Mr. S.R. Agarkar, learned APP for the State. I have 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 Raju Gaikwad. A perusal of the first information report indicates that on 20/08/2017, at about 03:00 p.m., while he was proceeding towards his residence, the applicants herein and another unknown person stopped him, pushed him from his two wheeler and started abusing and assaulting him. The first informant claims that as he was trying to run away from the spot, the applicant Akshay Londhe held him and the applicant Raj Kharat inflicted a blow of koyta (sickle) on his head.

4. It is to be noted that this Court had granted interim bail to these applicants by order dated 23/04/2018. While granting the said interim relief, this Court had observed that the medical certificate indicates that the first informant had sustained CLW over lower occipital region and that the injury was simple in nature.

5. Mr. P.B. Naiknaware, learned counsel for the applicants has submitted that the applicants had complied with the conditions of the said interim bail and the applicants had already reported to the Investigation Officer. Hence, the presence of the applicants is no longer required for the purpose of investigation. The applicants are the permanent resident of Thergaon, Pune. There is no possibility of the

applicants absconding and/or thwarting the course of justice. The applicants have no criminal antecedents.

6. Under the circumstances, the Applications are allowed on following terms and conditions :-

(a) In the event of arrest of the applicants in C.R.No.507/2018, they shall be released on bail on furnishing bail bonds of Rs.25,000/- (Rupees Twenty Five Thousand) each with one or two solvent sureties in the like amount, to the satisfaction of the Investigation Officer.

(b) The applicants shall remain present before the Investigation Officer from 17/10/2018 for a period of four days and further as and when required by the Investigation Officer for the purpose of interrogation/investigation.

(c) The applicants shall furnish their permanent and temporary address, if any, and their contact details to the Investigation Officer.

(d) The applicants shall not change their residential address without prior intimation to the Investigation Officer.

(e) The applicants shall not interfere with the first informant and other witnesses.

(SMT. ANUJA PRABHUDESSAI, J.)