

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
BAIL APPLICATION NO.1548 OF 2018**

Akshay Shrikant Adawade Applicant
Vs.
The State of Maharashtra Respondent

Mr. Rahul S. Kadam for the Applicant.
Mr. Prashant Jadhav, APP for the State.
Mr. Sandeep Pramod Yadav, PSI, Bharati Vidyapeeth police station,
Pune city present.

***Coram : Smt. Sadhana S. Jadhav, J.
Date : 13th July, 2018***

P.C.:

1 Heard the learned counsel for the applicant and the
learned APP.

2 This is an application under Section 439 Code of Criminal
Procedure. The applicant herein is arrested on 21st February 2018 in
Crime No.84 of 2018, registered at Bharati Vidyapeeth Police
Station, for the offences punishable under Sections 307, 323, 504,
506, 143, 147, 148, 149 of Indian Penal Code and Sections 37(1)
read with 135 of Bombay Police Act. The investigation is completed
and the charge-sheet is filed.

3 It is the case of the prosecution that on 19th February 2018, Sohan Bhikulal Dangi was admitted in Bharati Hospital with history of injuries in an assault by known persons, since it was a medico legal case, his statement was recorded by the police. He had disclosed that on 31st December 2017, there was a quarrel between him and Pappu Yenpure. On 19th February 2018, when he was in the company of his friend Bunty Pawar and Ishwar Kate, at that time, Pappu Yenpure, Akshay Adawade, Swapnil Satwankar, Bagya, Vishal Sonawane and others came there, armed with deadly weapons. Pappu Yenpure had assaulted him with sickle on his forehead, behind his head and back and Akshay and Swapnil beat him by wooden log on his hands and legs.

4 Perused the injury certificate, which shows that the injured had sustained three contused lacerated wounds over right back, below scapula, over right parieto occipital area and over forehead near left temporal area, which are grievous in nature and has sustained three abrasions on the forearm and linear over left side of back over scapula.

5 Taking into consideration the role attributed to the applicant, he deserves to be enlarged on bail. However, Pappu Yenpure shall not claim parity with the present applicant.

6 Learned APP, upon instructions submits that the applicant has not criminal antecedents.

7 The observations are prima facie in nature and shall not be considered for discharge application or at the time of trial.

Hence, the order :

ORDER

- i) The application is allowed.
- ii) The applicant be enlarged on bail on furnishing P.R. bond in the sum of Rs.50,000/- with one or more solvent sureties in the like amount.

(*Smt. Sadhana S. Jadhav, J*)