

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

BAIL APPLICATION NO.1652 OF 2018

Rohit Ramchandra Bhalerao & Anr. ...Applicants

Versus

The State of Maharashtra ...Respondent

.....

Mr. Rajiv Patil, senior Advocate with Mr. Ajinkya J. Jaibhave for the Applicants.

Ms Pallavi N. Dabholkar, APP for the Respondent-State.

Mr. Y.M. Bendkule, Police Hawaldar, Satpura Police Station, District-Nashik

CORAM : SMT. ANUJA PRABHUDESSAI, J.

DATED: 5th SEPTEMBER, 2018.

P.C.:-

This is an application under Section 439 of the Cr.P.C. filed by the aforesaid Applicants, who have been arrested in Crime No.160 of 2018 registered with Satpur Police Station, District-Nashik, for the offences punishable under Sections 143, 147, 148, 149, 307, 323 and 506 (B) r/w. 149 of the Indian Penal Code and under Section 135 of the Maharashtra Police Act.

2. Heard Mr. Rajiv Patil, the learned senior counsel for the Applicants and Ms Pallavi N. Dabholkar, the learned APP for the Respondent -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 FIR lodged by Pravin Meghkar. The FIR prima facie reveals that on 23.5.2018 at about 7.30 p.m., while the first informant was proceeding towards his residence, one Deepak Bhala Patil had stopped his motor cycle. Thereafter both these Applicants alongwith Vaibhav Jagtap and Anil Samdur and 7 to 8 unknown persons assaulted him by kicks and blows. He has stated that one of the unknown persons had assaulted him with an iron rod.

4. The records prima facie reveal that the first informant had sustained simple injuries. Main allegation against the Applicants is that they had assaulted the first informant with kicks and blows. It is seen that Deepak Bhala Patil, against whom similar accusation is levelled, has been released on bail by this Court (Coram: Smt. Sadhana Jadhav, J.) by order dated 31st July, 2018. Hence, on the ground of parity these Applicants are also entitled for bail.

5. Hence the following order:-

- (i) The Applicants are ordered to be released on bail on furnishing bail bonds of Rs.20,000/- each with one

or two solvent sureties in the like amount to the satisfaction of the Additional Sessions Judge, Court No.9, Nashik.

- (ii) The Applicants shall report to the Investigation Officer as and when required and called by him.
- (iii) The Applicants shall furnish their permanent as well as temporary addresses, if any, and their contact details to the Investigation Officer.
- (iv) The Applicants shall not change their residential addresses without prior intimation to the Investigation Officer.
- (v) The Applicants shall not tamper with the evidence or attempt to influence or contact the complainant, witnesses or any person concerned with the case.
- (vi) An undertaking to the aforesaid clauses (ii) to (v) shall be filed by the Applicants in the trial court prior to their release on bail.

(SMT. ANUJA PRABHUDESSAI, J.)