

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

BAIL APPLICATION NO.2291 OF 2018

Sonya @ Kuldeep Madhav Kamble	...Applicant
Versus	
The State of Maharashtra	...Respondent

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Mr. Ravi G. Shinde for the Applicant.
Mr. Rajan Salvi, APP for the Respondent-State.

CORAM : SMT. ANUJA PRABHUDESSAI, J.

DATED: 6th SEPTEMBER, 2018.

P.C.:-

This is an application under Section 439 of the Cr.P.C. filed by the aforesaid Applicant, who has been arrested in Crime No.215 of 2018 registered with Bund Garden Police Station, District-Pune, for the offences punishable under Sections 143, 147, 148, 323, 427, 452 and 504 r/w. 149 of the Indian Penal Code and Section 37(1) (3) r/w. 135 of the Mumbai Police Act, 1951.

2. Heard Mr. Ravi Shinde, the learned counsel for the Applicant and Mr. Rajan Salvi, 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 one Rushikesh Ashok Kamble. A perusal of the said FIR prima facie reveals that on 5th August, 2018 at about 11.00 p.m. the Applicant alongwith others formed an unlawful assembly and that they criminally trespassed into the house of the first informant. It is alleged that the Applicant and others assaulted the mother and sister and other family members of the first informant. The first informant had also alleged that the Applicant and others had destroyed their household articles and also caused injuries to Yogesh Suryawanshi by assaulting with a stick. He further stated that the Applicant and others had criminally trespassed into the house of one Lata Dube and Nikhil Dube and assaulted and abused them. The FIR indicates that the said incident was a consequence of the previous dispute between his brother and the Applicant.

4. It is to be noted that pursuant to the registration of the crime the Applicant was arrested on 6.8.2018 and is presently in judicial custody. The FIR does not prima facie reveal essential ingredient of the offence under Section 395 of the Cr.P.C. Furthermore the Applicant is a young boy of 22 years of age and a permanent

resident of Pune. Hence, there are no chances of the Applicant absconding or thwarting the course of justice. Hence, the application is allowed on following terms and conditions:-

- (i) The Applicant is ordered to be released on bail on furnishing bail bonds of Rs.25,000/- with one or two solvent sureties in the like amount to the satisfaction of the Investigation Officer.
- (ii) The Applicant shall furnish his permanent as well as temporary address, if any, and his contact details to the Investigation Officer.
- (iii) The Applicant shall not change his residential address without prior intimation to the Investigation Officer.
- (iv) The Applicant shall not interfere with the witnesses and tamper with the evidence in any manner.

(SMT. ANUJA PRABHUDESSAI, J.)