

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

ANTICIPATORY BAIL APPLICATION NO.2199 OF 2018

Yuvraj Pandit Patil .. Applicant

Vs.

State of Maharashtra .. Respondent

.....
Ms.Sushma T. Mishra, Advocate for the Applicant.
Mr.A.R. Kapadnis, APP for the Respondent – State.
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CORAM : PRAKASH D. NAIK, J.

DATED : OCTOBER 25, 2018.

P.C. :

This is an application for anticipatory bail in connection with C.R.No. I - 246 of 2018, registered with Hill-line Police Station, Kalyan, District - Thane, for the offences punishable under Sections 307, 452, 504, 143, 147, 149 of Indian Penal Code and Sections 37(3) and 135 of Maharashtra Police Act.

2 The case of the prosecution is that the informant lodged his report to police on 5th October, 2018. It is alleged that Yuvraj Patil (applicant) and Pratap Patil gave dash of their scooty to the Alto Car of the informant. Hearing sound of dash,

informant and her husband came out of the house and they saw that the number plate of the car was broken and smoke was coming out from the engine of the vehicle. The husband of the informant asked the applicant and Pratap Patil as to why they gave dash to the vehicle. They started abusing the informant and her husband. Informant's husband demanded compensation for the damage caused to the car. Accused abused the informant and her husband and went away. After some time the applicant and Pratap Patil along with other persons came at the scene of offence. They were armed with sword and sticks. They started abusing the informant and her husband. They threatened the complainant's husband that he would be killed. Thereafter, all of them dragged the injured out of the house. Informant's mother-in-law tried to intervene. The accused assaulted informant's husband by sticks. One of the accused gave a blow of sword to cause injuries to the informant's husband, but, mother-in-law came in between and sustained injury on her left hand finger. All the accused had assaulted by sticks to informant's mother-in-law as a result of which her hand was fractured. At that time Jagdish Patil and Ashok Patil assaulted with stick to the informant's husband with intention to kill him. Hence, FIR was lodged. Learned counsel for the applicant submitted that the applicant is

juvenile in conflict with law. He is aged 14 years. No role is attributed to him. He is studying in 9th standard. He has not assaulted any of the injured person. He has been falsely implicated in this case.

3 Learned APP submitted that on a petty issue, the accused, who were armed with weapons, had assaulted the complainant, her husband and her mother-in-law. One of the accused was armed with a sword and others were armed with sticks. Applicant and others had assaulted the witnesses by sticks.

4 I have perused the FIR. On account of quarrel when took place on the same day, the accused had arrived at the spot and assaulted complainant and others as stated above. Role assigned to the applicant is that he was one of the person who had assaulted by stick. Considering the fact that the applicant is a student studying in 9th standard and that he is aged about 14 years and juvenile in conflict of law and considering the role attributed to him, pre-arrest bail is granted to him.

6 Hence, I pass the following order:

:: ORDER ::

- (i) Anticipatory Bail Application No.2199 of 2018,
is allowed;
- (ii) In the event of arrest of the Applicant in
connection with C.R.No. I-246 of 2018,
registered with Hill-line Police Station, Kalyan,
District-Thane, he may be released on his
furnishing P.R. Bond in the sum of Rs.25,000/-,
with one or more sureties in the like amount;
- (ii) Applicant shall report to Hill-line Police Station,
Kalyan, District-Thane, as and when called for;
- (iii) Anticipatory Bail Application No.2199 of 2018,
stands disposed of.

(PRAKASH D. NAIK, J.)