

Nalawade

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO.2420 OF 2018

Narayan Bhagwan Jadhav	...Applicant
vs.	
State of Maharashtra	...Respondent

WITH
ANTICIPATORY BAIL APPLICATION NO. 1738 OF 2018

Anjana Narayan Jadhav	..Applicant
vs.	
The State of Maharashtra	..Respondent.

WITH
CRIMINAL APPLICATION NO.1283 OF 2018
IN
ANTICIPATORY BAIL APPLICATION NO. 1738 OF 2018

WITH
ANTICIPATORY BAIL APPLICATION NO. 1969 OF 2018
WITH
CRIMINAL APPLICATION NO. 1282 OF 2018

Mr. Mangesh Patel for the Applicants.
Mr. S.S.Hulke, APP.for the State in ABA No.2420/2018.
Mr. N.B.Patil, APP. for the State in ABA No.1738/2018.
Smt.J.S.Lohokare, APP. for the State in ABA No.1969/2018.
Mr.Shailesh Kantharia for the Intervener.

CORAM :A.S.GADKARI, J.
DATE : 7th December, 2018

P.C.

1. These are applications for pre-arrest bail in CR
No.125/2018 registered with Salgar Vasti Police Station,

Solapur under Sections 452, 336, 323,324, 504, 506, 143, 147, 149, 427 of the Indian Penal Code and under Section 135 of the Bombay Police Act.

2. Heard the learned counsel for the applicants and the learned APP. Perused the record.

3. The first information report is lodged by Smt. Sushila Manik Gaikwad. It is stated that the applicant Narayan Jadhav and other applicants are family members. That due to some earlier quarrel and/or disputes between the families on the date of incident the applicant Narayan Jadhav along with other applicants assaulted the first informant, her elder sister Smt. Shobha and her daughter namely Ms. Aparna. The applicants also hurled stones on the house of the first informant and injured other persons. One of the stone which was hurled by the applicant Narayan was hit on the left eye of Smt. Shobha. She suffered grievous hurt there from. In the premise, the first information report is lodged.

4. The record indicates that Smt. Shobha was immediately taken to Civil Hospital, Solapur and the Medical officer attached to the said hospital after treating Smt. Shobha has opined that nature of injuries suffered by Smt. Shobha was

blunt trauma caused to her by blunt object. He has put a remark that no bone injury is seen.

5. Mr. Kantharia learned counsel for the intervener submitted that, as a matter of fact the said Smt. Shobha was assaulted with knife and one of the applicant pierced knife in her eye causing irreparable damage to it. The applicants also assaulted the injured persons by fist and kick blows. In support of his contention he has relied upon certain photographs which are annexed at page 20 of his application. The photographs would prima facie indicate that, the contention of the learned counsel for the informant has no substance in it.

6. After perusing the record of investigation, prima facie this Court is of the view that, the allegations made in the first information report against the applicants are general in nature and there are no specific overt act is attributed to any particular applicant. The record indicates that, police after investigating the crime has already filed charge sheet in the matter.

7. Considering the aforestated facts and the circumstances of the present case, in my considered opinion, the applicants are

entitled to be protected by pre-arrest bail.

8. Hence, the following order.

- a) In the event of arrest in CR No.125/2018 registered with Salgar Vasti Police Station, Solapur the applicants shall be released on bail on their furnishing PR bond of Rs.15,000/- each with one or two separate local sureties in the like amount.
- b) The applicants shall not tamper with the evidence and/or influence the prosecution witnesses.
- c) Applications are allowed in the aforesaid terms.
- d) In view of the order passed in Anticipatory Bail Applications, the applications for intervention do not survive and are accordingly disposed off.

(A.S.GADKARI, J.)