

Nalawade

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO. 2520 OF 2018
WITH
CRIMINAL APPLICATION NO. 1553 OF 2018

Shekhar Bapu Khot	..Applicant
vs.	
The State of Maharashtra	..Respondent.

Mr. Amin Solkar with Misbaah Solkar for the Applicant.
Mr. Amit Palkar, APP for the Respondent-State.
Mr. Tejas Hilage for the Intervener.

CORAM : A.S.GADKARI, J.
DATE : 14th December, 2018

P.C.

1. The applicant is apprehending arrest in CR No. 434 of 2018 dated 5.11.2018 registered with Shivaji Nagar Police Station, Kolhapur under Sections 307, 323, 323, 504, 506 read with 34 of the Indian Penal Code.
2. Heard the learned counsel for the applicant, the learned counsel for the intervener and the learned APP. Perused the record.
3. The first information report is lodged by Amol S. Salunke. It is alleged that there are disputes between the family members of Amol Salunke and the applicant and his family members over the landed

property. Both the families are residing adjoining to each other.

It is alleged that on 5.11.2018 it is alleged that the applicant and his sons namely Chidanand and Sadanand assaulted the father of the informant namely Shivaji Salunke, his mother Smt. Sumitra and his aunt Smt. Sonabai with sword and sickle. It is alleged that the sons of the applicant Chidanand and Sadanand assaulted Shivaji and Dadaso Salune with sickle and sword respectively.

4. The record of investigation indicates that, Chidanand and Sadanand have been arrested by the police and weapons used by them in the present crime have been recovered. The applicant is aged about 65 years and the allegation against the applicant is that, he is instrumental in instigating his sons in causing the assault to the said two witnesses and also assaulting Smt. Sumitra and Smt. Sonabai with a stone. The Medical Certificate of Smt. Sumitra and Smt. Sonabai are not made available to the investigating agency.

5. In view of the above, the applicant can be protected by pre-arrest bail.

Hence, the following order.

a) In the event of arrest in CR No. 434 of 2018 dated 5.11.2018 registered with Shivaji Nagar Police Station, Kolhapur, the applicant

shall be released on bail on his furnishing PR bond of Rs.15,000/- with one or two local sureties in the like amount.

b) The applicant shall attend the Investigating officer on 21.12.2018 and 22.12.2018 between 10.00 a.m. to 12.00 noon and to join the process of investigation.

c) The applicant shall not tamper with the evidence and/or influence the prosecution witnesses.

d) Application is allowed in the aforesaid terms.

In view of the Order passed in ABA No. 2520/2018, the Criminal Application No.2520/2018 for intervention does not survive and the same is accordingly disposed off.

(A.S.GADKARI, J.)