

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

ANTICIPATORY BAIL APPLICATION NO.2527 OF 2018

Sandeep Dashrat Patil	.. Applicant
Vs.	
State of Maharashtra	.. Respondent

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Mr.Sachin B. Chandan, Advocate for the Applicant.
Mr.M.G. Patil, APP for the Respondent – State.
Mr.N.R. Jadhav, API, M.F.C. Police Station, present.

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CORAM : PRAKASH D. NAIK, J.

DATED : DECEMBER 10, 2018.

P.C. :

This is an application for bail filed under Section 438 of Cr.P.C. The applicant is apprehending arrest in connection with C.R.No.I-457 of 2018, registered with Mahatma Fule Chouk Police Station, Kalyan, District - Thane, for the offences punishable under Sections 307, 143, 147, 148, 149, 323, 504 and 506 of Indian Penal Code ("IPC", for short) and Sections 4 and 25 of Arms Act. The First Information Report ("FIR", for short) was lodged on 5th November, 2018, by one Sameer Penkar alleging that the applicant had assaulted him by chopper on his abdomen. It also appears that cross case is lodged by the present applicant

vide C.R.No.I-458 of 2018, registered with the same police station on 5th November,2018, for the offences punishable under Sections 307, 341, 504 and 506 read with 34 of IPC. In the said FIR lodged by the applicant, it is alleged that the applicant was assaulted by opponents. It is alleged that Sameer Penkar, the complainant in the present case had assaulted the applicant by giving blows of chopper. Learned APP submitted that the statement of the complainant was recorded under Section 164 of Cr.P.C., which also reiterates the version in the fir. Learned APP, however, pointed out the injury certificate of Sameer Penkar, the complainant in the present case. The injury sustained by him are simple in nature and it does not appear that the complainant has sustained any injury on his abdomen by chopper. In the circumstances, applicant can be granted anticipatory bail on certain conditions.

2 Hence, I pass the following order:

:: ORDER ::

- (i) Anticipatory Bail Application No.2527 of 2018,
 is allowed;

- (ii) In the event of arrest of the applicant in connection with C.R.No.I-457 of 2018, registered with Mahatma Fule Chouk Police Station, Kalyan, District - Thane, he be released on bail on his furnishing P.R. Bond in the sum of Rs.25,000/-, with one or more sureties in the like amount;
- (iii) Applicant shall report investigating officer of Mahatma Fule Chouk Police Station, Kalyan, District-Thane, once in a week on Friday between 10:00 a.m. to 12:00, till filing of the charge-sheet;
- (iv) Anticipatory Bail Application No.2527 of 2018, stands disposed of;

(PRAKASH D. NAIK, J.)