

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

ANTICIPATORY BAIL APPLICATION NO.155 OF 2019

Suraj Chandrakant Tiwale	..	Applicant
Vs.		
State of Maharashtra	..	Respondent

Mr.Satyavrat Joshi for the applicant.

Mr.A.R.Kapadnis, APP for respondent-State.

Mr.Arvind Kamble, API, Karveer Police Station, Kolhapur.

CORAM : P.N. DESHMUKH, J.

DATE : 4th April 2019

P.C.:

. Heard learned counsel for applicant and learned APP for respondent-State. Perused case diary.

2. Learned APP has also tendered at bar copy of injury report of complainant. According to report, he has sustained two simple injuries and has obtained discharge against medical advise. Learned APP submits that admittedly, complainant is no more alive as on today and co-accused Javed who is assigned with the role of assault is granted anticipatory bail by trial Court. While considering applicant's entitlement for grant of interim protection, it is observed that though alleged assault by applicant is by knife, same is on little finger and thumb of which according to injury report, injuries caused are simple in nature while co-accused

Javed is attributed with assault by wooden rod on the head of complainant along with other assailants.

3. In view of role attributed to applicant as aforesaid by which applicant is alleged to have caused two simple injuries, and co-accused Javed who has assaulted by wooden rod, on head of complainant which according to medical certificate are also simple injuries, applicant is entitled for anticipatory bail, though learned APP submits that there are criminal elements having various offences registered against him with Karveer Police Station at Kolhapur, by imposing suitable conditions on applicant as per following order :-

ORDER

- (i) Interim order dated 15th March 2019 granting interim bail to applicant is confirmed with direction to applicant to attend Investigating Officer as and when called till filing of charge-sheet;
- (ii) Applicant shall not enter within the territorial jurisdiction of Kolhapur City, except for marking his presence with Investigating Officer and subsequently as and when called till filing of charge-sheet;
- (iii) Application is disposed of in above terms.

P.N. DESHMUKH, J.