

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

ANTICIPATORY BAIL APPLICATION NO. 2683 OF 2019

Vikram Anil Kamble and Ors.

.. Applicants

Vs.

The State Of Maharashtra

.. Respondent

.....

Mr. Prashant M. Patil, advocate for Applicants.

Mr. H. J. Dedhia, A.P.P. for the State-Respondent.

.....

CORAM : PRAKASH D. NAIK, J.

DATE : 09th DECEMBER 2019

PC.

1. This is an application for Anticipatory Bail in connection with C.R. No. 172 of 2019 registered with Kodoli Police Station, District - Kolhapur for the offences punishable under Sections 143, 144, 146, 148, 149, 326, 504 and 506 read with section 34 of the Indian Penal Code ("IPC", for short).

2. It is the case of the complainant that on 05th November 2019, he was informed that the applicant and others had assaulted his son Manish. The complainant reached the place. He saw applicants assaulting his son Manish by kick / fist and stick blows. Manish sustained grievous injury on his head. He was bleeding. The First Information Report was lodged on 09th November 2019.

3. Whereas the case of the applicants is that Manish in and his associates have assaulted applicant no. 1 by giving knife blow on his chest an abdomen. Applicant no. 1 had received serious injury by knife. He was admitted in hospital and subsequently, his statement was recorded. First Information Report was registered at the instance of applicant no. 1 against opponent vide Crime No. 170 of 2019 for offences under Sections 307, 341 and section 34 of the Indian Penal Code.

4. First Information Report is lodged against the applicants vide C.R. No. 172 of 2019 cross FIR is registered at the instance of the applicant no. 1 vide C.R. No. 170 of 2019. The applicant no. 1 had sustained grievous injury and he was admitted in hospital for 15 days. He had sustained injury to his chest . The FIR lodged by applicant no. 1 was first in point of time. However, the present FIR against the applicants was registered after period about four days. Learned APP submits that, the investigation is in progress. Injured Manish has sustained fracture. The applicant nos. 2 to 5 are relatives of the applicant no. 1. Considering aforesaid circumstances, the applicant cannot be subjected to custodial interrogation.

ORDER

- (i) Anticipatory Bail Application No. 2683 of 2019 is allowed.
- (ii) In the event of arrest of applicants in C.R. No. 172 of 2019 registered with Kodoli Police Station, District- Kolhapur, the applicant be released on bail on furnishing P.R. bond in the sum of Rs. 20,000/- with one or more sureties, in the like amount;
- (iii) The applicant shall report Investigating Officer on 16th, 17th, 18th and 19th December 2019 between 10:00 am to 12:00 noon till further orders and Thereafter, as and when called for till filing of charge sheet. Anticipatory Bail Application stands disposed of;
- (iv) The applicant shall not tamper with evidence and shall attend Trial Court proceedings regularly, unless exempted by the Trial Court.

(PRAKASH D. NAIK, J.)