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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO.161 OF 2019

1. Prashant Ishwarnath Shelke,
 2. Tushar Baban Nalawade,
 3. Sandesh Balshiram Auti ..Applicants.
- V/s.
- The State of Maharashtra ..Respondent.

Mr.Meghashyam Kocharekar I/b. Uday B.Nighot for the applicants.

Mr.N.B. Patil, APP for the respondent-State.

CORAM : NITIN W. SAMBRE, J.

DATE : JANUARY 18, 2019

P.C.:-

Heard learned counsel for the applicants and learned
APP for the State.

2. In crime No.407/2018 for offence punishable under sections 143, 147, 148, 149, 341, 447, 323, 504 and 506 of the Indian Penal Code registered with Narayangaon police station, Taluka Khed, District Pune the applicants are seeking pre-arrest bail.

3. Perusal of the F.I.R. reflects that there appears to be a dispute between the applicants and the complainant due partition of the property and sale of joint family property because of which the incident in question took place.

4. The victim Dnyaneshwar suffered grievous injuries.

5. In view of the direct acquisition of attributed to applicant No.1, the application at his behest is not pressed and as such it is rejected.

6. So far as applicant Nos.2 and 3 are concerned, perusal of F.I.R. does not reflect any attributes against them. In view thereof, applicant Nos.2 and 3 deserve to be released on pre-arrest bail. Hence the order :-

- i) The application against applicant No.1 Prashant Ishwarnath Shelke stands rejected;
- ii) In the event of arrest in Crime No.407/2018 for offence punishable under sections 143, 147, 148, 149, 341, 447, 323, 504 and 506 of the Indian Penal Code registered with Narayangaon police station, Taluka Khed, District Pune, applicant No.2 Tushar Baban Nalawade and No.3 Sandesh Balshiram Auti be released on bail on their executing P.R.

bond of Rs.25,000/- each with one or two sureties each in the like amount;

- ii) The applicants shall attend the Investigating officer on 23rd and February 4th, 2019, between 10.00 a.m. to 12.00 noon and thereafter as and when directed;
- iii) The applicants shall not influence the prosecution witnesses or tamper with the evidence;
- iv) The applicants shall co-operate with the investigating agency;
- v) The application stands disposed of accordingly.

(NITIN W. SAMBRE, J.)