

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

ANTICIPATORY BAIL APPLICATION NO. 188 OF 2019

1. Sachin Gajanan Salgaonkar

2. Nitin Dattaram Shinde

... Applicants

Vs.

The State of Maharashtra

... Respondent

...

Mr. Samarth S. Karmarkar a/w Ms. S.G. Maurya I/by Karmarkar & Associates for the applicant.

Mr. Prashant Jadhav, APP for the Respondent-State.

Mr. Digvijay Ashok Patil API, Dindoshi Police Station is present.

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CORAM : PRAKASH D. NAIK, J.

DATE : 22nd JANUARY, 2019.

P.C.

1. This is an application for anticipatory bail in connection with CR No. 693 of 2018 registered with Dindoshi Police Station for the offence punishable under Section 365, 324, 323, 141, 143, 148 & 149 of Indian Penal Code.

2. The complainant has alleged that on 12th December, 2018, three persons had assaulted him by fist blows and sticks. Thereafter two others dragged complainant into the autorickshaw. Complainant was taken alongwith them and on the way he was assaulted. The applicant is alleged to have participated in the first

part of the incident.

3. Learned APP submitted that the statement of two witnesses other than the complainant were recorded. Other witnesses have named the applicants and referred to assault upon the complainant.

4. On perusal of the First Information Report, it can be seen that the complaint is not clear as to whether the complainant has been assaulted by fist blows or by stick. It is the contention of the applicant that on account of enmity the applicants have been falsely implicated in this case. Sister of accused had lodged the complaint against the informant vide FIR No. 161 of 2018 registered with Kurar Police Station for the offence punishable under Section 354, 354(A), 354(d), 509, 506(ii) of the Indian Penal Code. In the circumstances, custodial interrogation of the applicant is not necessary.

ORDER

- i. Anticipatory Bail Application is allowed;
- ii. In the event of arrest of the applicants in connection with CR No. 693 of 2018 registered with Dindoshi Police Station, the applicants be released on bail on furnishing PR Bond in the sum of Rs.25,000/- each with one or more sureties in the like amount;

- iii. Applicants shall report to the Investigating Officer of the concerned police station on 28th January, 2019, 29th January, 2019 and 30th January, 2019 between 11 a.m. to 1 p.m . and thereafter as and when called of till filing of chargesheet;
- iv. Anticipatory Bail Application stands disposed off.

(PRAKASH D. NAIK, J.)