

IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CRIMINAL APPELLATE JURISDICTION

CRIMINAL ANTICIPATORY BAIL APPLICATION NO.326 OF 2019

1. Satish Suresh Bansode, Age 28 years,  
Occ.Driver, R/o.Near Seepz Gate No.3,  
312, Shaivganga CHS, Sariput Nagar,  
J.V.Link Road, Chakala MIDC, Andheri (E),  
Mumbai-400 093.

2. Sunil Pirappa Kamble, Age 26 years,  
Occ.Service, R/o.Sukh Sangam, Sariput Nagar,  
J.V.Link Road, Chakala MIDC, Andheri (E),  
Mumbai-400 093.

3. Ashok Sidhappa Bandiwad, Age 48 years,  
Occ.Driver, R/o.1/10, Satyam Society Chawl,  
Shivkrupa Nagar, Kashivishwanath Mandir,  
Bhandup (E), Mumbai-400 042.

Applicants

versus

The State of Maharashtra

Respondent

Mr.S.S.Karmarkar I/by S.S.Karmarkar Ascoaites for applicants.

Mr.R.M.Pethe, APP, for State.

Mr.D.M.Nirmal, Police Inspector, Aarey Police Station, present.

CORAM : PRAKASH D. NAIK, J.

DATE : 6<sup>th</sup> February 2019

PC :

1. This is an application for anticipatory bail in CR No.260 of 2018 registered with Aarey Police Station for offences under Sections 323, 341, 354, 324, 506(2), 141, 143, 147, 149 of Indian Penal Code.

2. The case of complainant is that she was travelling along with her husband and son by their car. Two persons-accused were driving

motorcycle. After the car gave dash to the motorcycle, the accused have assaulted the husband of complainant, son of the complainant and had abused the complainant in filthy language. Learned counsel for applicant submits that no specific role has been attributed to the accused. The person who had purportedly assaulted by using belt was arrested and granted bail. Learned APP submitted that the applicant nos. 2 and 3 are having antecedents.

3. I have perused the FIR. Admittedly the accused have entered into quarrel with complainant and others. The husband of the complainant was pulled out of car and assaulted. Her son was also assaulted. The complainant who is lady, was also abused by using obscene language. The manner in which the crime is committed, disentitles the applicants from claiming relief u/s 438 of Code of Criminal Procedure. Considering these facts, no case for grant of anticipatory bail is made out. Accordingly, Criminal Anticipatory Bail Application No.326 of 2019 is rejected.

(PRAKASH D. NAIK, J.)

MST