

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO.458 OF 2019

Sagar Anil Dhotre] ... Applicant

Versus

The State of Maharashtra] ... Respondent

Ms. Sonu Sharma, Advocate for the Applicant.

Mr. Rajan Salvi, APP for the State/Respondent.

PSI Shrikant Patil attached to Sangavi Police Station present.

CORAM :- SARANG V. KOTWAL, J.

DATE :- 13 JUNE, 2019.

P. C. :-

1. The applicant is seeking anticipatory bail in connection with C.R.No.41/2019 registered with Sangavi Police Station u/sec.326, 143, 147, 148, 149, 427 of I.P.C. and under Section 37 (1), 135 of the Maharashtra Police Act. Subsequently, Section 307 of I.P.C. is also added.

2. The FIR is lodged on 09/01/2019 by one Vishal Jadhav. He has stated in FIR, that, on 08/01/2019, when he was standing in front of his house with his brother Rohit, at about 9.30 p.m., about nine

persons came there. One of them was the present applicant. Out of them one Suraj Dhotre asked the first informant and his brother Rohit as to who had broken the glass of his car. When the first informant was explaining the said incident, assailants suddenly started assaulting the first informant and his brother Rohit with iron rod and stones. All of them suffered injuries. Thereafter, the FIR was registered.

3. During investigation, statements of Rohit and Rupesh who had suffered injuries were recorded. The statement of Rupesh supports the case of the first informant. In that statement, it is mentioned that the present applicant was having iron rod with which he assaulted. Similarly, the statement of Rohit also supports the statement of the informant and Rupesh. In that statement he has mentioned that the present applicant and others assaulted this witness Rohit. I have perused the injury certificates in respect of Rohit and Rupesh. Both of them were suffered head injuries and in particular Rupesh's injuries are serious.

4. Heard Ms. Sonu Sharma, Ld. Counsel for the Applicant and Mr.Rajan Salvi, APP for the State/Respondent.

5. Ld. Counsel for the applicant submitted that the applicant is falsely implicated. There is no specific role given to the applicant. The applicant had no intention to assault the injured persons.

6. Perusal of statement of injured eye witnesses and the nature of injuries reveal that the incident was a serious incident. All the accused had come together at the spot carrying weapons. The injured have suffered serious injuries. Custodial interrogation of the applicant is necessary. Therefore, no case for anticipatory bail is made out. Hence, the following order.

ORDER

Application is rejected and stands disposed of accordingly.

(SARANG V. KOTWAL, J.)