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

ANTICIPATORY BAIL APPLICATION NO.465 OF 2019

- | | | |
|----|--------------------------|---------------|
| 1. | Ram Baban Baswant | |
| 2. | Akshay Ram Baswant | ...Applicants |
| | Versus | |
| | The State of Maharashtra | ...Respondent |

Mr.A.R.Pitale, for the Applicants.

Mr.A.R.Kapadnis, A.P.P for the Respondent - State.

API – Ram Divekar, Shahapur Police Station, Thane Rural.

CORAM : REVATI MOHITE DERE, J.

DATE : 25th JUNE, 2019

P.C. :

1. Heard learned Counsel for the parties.
2. By this application, the applicants seek pre-arrest bail in connection with C.R. No.I-570 of 2018 registered with the Shahapur Police Station, Thane Rural, for the alleged offences punishable under Sections 326, 323, 427, 504 and 506 of the Indian Penal Code.

3. Perused the papers. According to the prosecution, there was a quarrel between the complainant and the applicants on 7th February, 2018 on account of a dispute over an immovable property between them. In the said quarrel, the applicant No.2 is alleged to have assaulted the complainant on his face by a fighter. As far as applicant No.1 is concerned, it appears that during the pendency of this application, he was arrested and subsequently released on bail. Hence, this application is being considered only, qua the applicant No.2. Applicant no.2 is a student, aged 18 years and is studying in standard 12th. The applicant No.2 has no antecedents.

4. Having regard to the peculiar facts and the age of the applicant No.2, custodial interrogation of the applicant No.2 is not warranted. Accordingly, the applicant No.2 is granted pre-arrest bail on the following terms and conditions :

ORDER

- (i) In the event of the arrest, the applicant No.2 be enlarged on bail on executing P.R. Bond in the sum of Rs.15,000/- with one or more sureties in the like amount ;

(ii) The applicant No.2 shall report to the Investigating Officer of the concerned Police Station, on the first Monday of every month, between 10:00 a.m. to 12:00 noon, for a period of 12 months from today;

(iii) The applicant No.2 shall not contact the complainant, witnesses or any person concerned with the case.

(iv) The applicant No.2 shall inform his latest place of residence and mobile contact number and/or change of residence or mobile details, if any, from time to time to the trial Court as well as to the Investigating Officer of the concerned Police Station, in writing;

(v) The applicant No.2 shall co-operate with the Investigating Agency and shall not misuse the liberty granted to him.

5. The Application is allowed in the aforesaid terms and is accordingly disposed of.
6. It is made clear, that the observations made herein are *prima facie* and are confined to this application.
7. All concerned to act on the authenticated copy of this order.

REVATI MOHITE DERE, J.