

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

BAIL APPLICATION NO.849 OF 2019

Ramjan Mashaq Kurane

...Applicant

Vs.

State of Maharashtra

...Respondent

Mr. Satyam H. Nimbalkar, for the applicant.

Mr. Ranjan Salvi, for the State.

CORAM : SARANG V. KOTWAL, J.

DATE : JUNE 06, 2019

P.C.:

1. The applicant is seeking bail in connection with C.R. No.237/2018 registered at Bhosari Police Station, Pune under Sections 307, 324, 143, 144, 147, 148, 149, 504, 323, 427 of IPC and under Section 37(1)(3) r/w. 135 of Bombay Police Act.

2. The FIR in this case is lodged by one Shanesh Pakhare. According to him, on 11/5/2018, at about 11.15 p.m. when he alongwith his friends Mayur and Melwyn were talking with each other at Indrayani Nagar, Bhosari, at that time, accused Alpesh, Munna, present applicant, Mayur, Avinash and Ganesh came there. Initially, there was some quarrel and suddenly accused Alpesh Murkar took out koyta and assaulted Melwyn. At that time, present applicant and others

also assaulted Melwyn, first informant and Mayur. Melwyn was admitted to Y.C.M. Hospital and thereafter the FIR was lodged. The investigation was conducted and the applicant was arrested on 12/5/2018. Apart from present applicant, five others were arrested. The investigation was completed and the chargesheet was filed.

3. I have perused the statement of Melwyn D'souza who was the injured who has narrated the same story as narrated by the first informant. I have also perused the medical certificate of said Melwyn which shows that he had suffered two CLWs over his head.

4. In this case, all the other accused except the present applicant are granted bail. Even the main accused who has assaulted Melwyn with Koyta is also granted bail. The applicant was denied bail only on the ground that he had criminal antecedents. The order passed by Ld. Additional Sessions Judge, Pune rejecting his application for bail mentions that there are 11 offences registered against the present applicant.

5. Shri. Nimbalkar, Ld. Counsel for the applicant pointed out that in the chargesheet there are three offences mentioned against the present applicant which are of very minor nature.

6. Considering the fact that all the accused are granted bail including the main accused who had assaulted the injured, I see no reason to deny same relief to the present applicant. Considering the criminal antecedents, it is necessary to keep check on his future activities. Hence, the following order.

ORDER

1. The applicant is directed to be released on bail in connection with C.R.No.237/2018 registered at Bhosari Police Station, Pune on his executing P.R. Bond in the sum of Rs.25,000/- (Rs.Twenty Five Thousand Only) with one or two sureties in the like amount.
2. The applicant shall report to Bhosari Police Station, Pune every Sunday between 3.00 p.m. to 5.00 p.m. till conclusion of the trial.
3. With this direction, the application is disposed of.

(SARANG V. KOTWAL, J.)