

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

CRIMINAL BAIL APPLICATION NO.894 OF 2019

Siddhu @ Siddharth Datta Chavan & Anr. Applicants

versus

The State of Maharashtra Respondent

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- Mr.Nagesh Y. Chavan, Advocate for Applicant.
- Ms.S.S. Kaushik, APP for the State/Respondent.

CORAM : SARANG V. KOTWAL, J.

DATE : 15th JULY, 2019

P.C. :

1. The Applicants are seeking their release on bail in connection with C.R.No.166/18 registered with Jath Police Station, Sangli, under sections 395 and 397 of the Indian Penal Code.
2. The FIR is lodged by one Prajwal Shrimant Sale on 16/06/2018. It is his case in the FIR that he was having his grocery store at Jath. At around 09.00 p.m. on 15/06/2018 he had shut his shop after his dinner. Again he went to his shop

and after checking everything, had shut his shop again and came back home. At around 01.30 a.m. in the night he heard some noise. It was coming from his shop. He was convinced that somebody was trying to commit robbery in his shop. Therefore he informed his father and friends. He collected about 30-40 people. They carefully went to the shop without raising any noise. The offenders were not made aware that they were reaching near the shop. A few people from the mob went from different directions to encircle the robbers. The first informant went towards the terrace and saw that two of the offenders were hiding themselves. Both the offenders tried to assault the first informant. But he evaded their assault. They tried to throw Chilly powder on his face and tried to run away. They were chased. In all three of them were apprehended.

3. The FIR mentions that the offenders were assaulted brutally by the mob and they had suffered serious injuries. Based on these allegations, the FIR is lodged.

4. Three of the offenders were caught on the spot and were arrested on 16/06/2018 and since then they are in custody.
5. Heard learned Counsel Mr.Nagesh Y. Chavan for the Applicant and learned APP Ms.S.S. Kashik for the State.
6. The FIR itself shows that the present Applicants were hiding themselves on the terrace. The other associates were actually trying to break the shutter. The FIR also mentions that the Applicants were beaten by the mob and therefore they had suffered serious injuries.
7. The offence could not be completed as the people from the vicinity thwarted their attempt. Applicants had suffered injuries in the entire incident. The Applicants do not have any criminal antecedents as stated by the learned APP. Therefore at this stage, bail can be granted to the Applicants pending the trial. However, stringent conditions need to be imposed in this case, so that the Applicants do not commit similar offences in future. Hence, the following order :

ORDER

- (i) The Applicants are directed to be released on bail in connection with C.R.No.166/18 registered with Jath Police Station, Sangli, on their furnishing PR bond in the sum of Rs.25,000/- (Rupees Twenty Five Thousand Only) each, with one or two sureties each, in the like amount.
- (ii) The Applicants shall attend the concerned Police Station every alternate day between 04.00 to 05.00 p.m. for a period of six months and thereafter they shall attend the concerned police station every Sunday between 04.00 to 05.00 p.m. till conclusion of the trial.
- (iii) Application stands disposed of accordingly.

(SARANG V. KOTWAL, J.)