

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

ANTICIPATORY BAIL APPLICATION NO.1211 OF 2019

Santosh Sonba Bodke

.... Applicant

versus

The State of Maharashtra

.... Respondent

.....

- Ms.Saili N. Dhuru i/b. Mr.Kuldeep Patil, Advocate for Applicant.
- Mr.Rajan Salvi, APP for the State/Respondent.
- Mr.T.G. Gurav, PN 1299, Laxmipuri Police Station, Kolhapur, present.

**CORAM : SARANG V. KOTWAL, J.
DATE : 06th JUNE, 2019**

P.C. :

1. The Applicant is seeking anticipatory bail in connection with C.R.No.66/19 registered with Laxmipuri Police Station, District Kolhapur, under sections 326, 341, 323, 504, 506 r/w 34 of the Indian Penal Code.

2. The FIR is lodged on 03/03/2019 by one Firoz Allabaksh Shaikh. According to him, his cousin Amin Shaikh was released on bail on 02/02/2019 and on that night there was a

quarrel between him and a group of one Misal in respect of which an offence was already registered. On 02/03/2019, at about 09.45 p.m. when the first informant, his aunt and others were going towards police Station, their Rikshaw was intercepted by two motorcycles. The culprits were belonging to the group of Misal. The present Applicant was also one amongst them. The first informant has further stated in his FIR that the Applicant held him and Rajesh Misal assaulted him on his head with a weapon like sword. The others assaulted him with kicks and fist blows. The first informant was thereafter admitted in CPR Hospital, Kolhapur. The FIR was registered.

3. The injury certificate of the first informant is annexed with this application. I have heard learned APP Mr.Salvi for the State and learned Counsel Ms.Saili Dhuru h/f Mr.Kuldeep Patil. On perusal of the injury certificate it can be seen that the injuries are described as simple injuries. Therefore, prima facie, section 326 of the IPC may not be attracted. Considering the role of the Applicant and nature of the injuries suffered by the

first informant, I am inclined to grant relief to the present Applicant. Hence, the following order :

ORDER

- (i) In the event of his arrest in connection with C.R. No.66/19 registered with Laxmipuri Police Station, Kolhapur, the Applicant is directed to be released on bail on his furnishing PR bond in the sum of Rs.25,000/- (Rupees Twenty Five Thousand Only) with one or two sureties in the like amount.
- (ii) The Applicant shall attend Laxmipuri Police Station every Monday between 03.00 p.m. to 05.00 p.m. till filing of the charge-sheet.
- (iii) The Applicant shall cooperate with the investigation.
- (iv) Application stands disposed of accordingly.

(SARANG V. KOTWAL, J.)