nsc.

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO.1347 OF 2019

1. Pushpa Hemraj Devkar
2. Kavita Gurunath Devkar
3. Sandya Nandkumar Devkar
4. Jagruti Jayvant Devkar
5. Pramila Ramesh Devkar ...Applicants

Versus

The State of Maharashtra ...Respondent

Mr.S.B.Chandan, for the Applicants.

Mr.S.V.Gavand, A.P.P for the Respondent - State.

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-287 of 2019 registered with the Kalyan Taluka Police Station, Thane (Rural), for the alleged offences punishable under Sections 143, 144, 147, 148, 149, 323, 324, 326, 427, 504 of the Indian

Penal Code.

3. Perused the papers. According to the prosecution, the incident took place on 22nd May, 2019, at about 9.30 a.m. According to the complainant – Sagar Shelar, when he was returning back home after supplying milk on his Pulser motorcycle, co-accused – Sunil Devkar stopped him. It is alleged that co-accused – Sunil slapped the complainant, pursuant to which, the complainant alighted from the motorcycle. It is alleged that co-accused – Sunil picked up a wooden stick, which was lying at the spot and assaulted him on his head, back and leg, resulting in a bleeding injury. When the complainant's father – Gajajan Shelar, was informed about the same, he along with his relatives reached the spot. It is alleged that when the complainant's father questioned Sunil, why he had assaulted the complainant, Sunil is alleged to have quarreled with the complainant's father. It is alleged that co-accused – Sunil, including the other accused came to the spot armed with sticks and iron rods and assaulted the complainant and his father. Admittedly, the applicants are not alleged to have assaulted the complainant and his father with any weapon. The applicants, who are ladies are alleged to have assaulted the

complainant and his father with fist blows.

4. Considering the role of the applicants, who are ladies, the custodial interrogation of the applicants is not necessary. The application is accordingly allowed and the applicants are granted pre-arrest bail on the following terms and conditions :

ORDER

(i) In the event of the arrest, the applicants be enlarged on bail on executing P.R. Bond in the sum of Rs.10,000/- each, with one or two sureties in the like amount ;

(ii) The applicants shall report to the Investigating Officer of the concerned Police Station , on 2nd July, 2019, 3rd July, 2019 and 4th July, 2019, between 10.00 a.m. to 1.00 p.m. and thereafter as and when called for, till the filing of the charge-sheet.

(iii) The applicants shall not contact the complainant, witnesses or any person concerned with the case;

(iv) The applicants shall co-operate with the Investigating Agency.

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.