

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

CRIMINAL BAIL APPLICATION NO.2653 OF 2019

Mhalsakant @ Chendya Bhimrao Bhalerao Applicant

versus

The State of Maharashtra Respondent

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- Mr.Aniket Nikam i/b. Vivek N. Arote, Advocate for Applicant.
- Mr.S.H. Yadav, APP for the State/Respondent.
- PSI Mr.Nandkumar Sonwalkar, Jejuri, Police Station, Pune, present.

CORAM : SARANG V. KOTWAL, J.

DATE : 17th OCTOBER, 2019

P.C. :

1. The Applicant is seeking his release on bail in connection with C.R.No.255/19 registered with Jejuri Police Station, Pune, under sections 307, 324, 323, 504, 506 r/w 34 of the Indian Penal Code.

2. The FIR is lodged by injured himself on 13/08/2019.

The first informant Suraj Ranjit Bhalerao has stated in his FIR

that on 12/08/2018 he had gone to Jejuri. He and his friend Shubham Hari Chavan had reached Shivaji Chowk at 04.00 p.m. At that time, he had some altercation with one Abdul Raju Shaikh and Aditya Khanderao Bhaleraon. After that the informant and his friend Shubham left from there towards S.T. Stand. After some time he realized that they were followed by a car. In that car, the Applicant, Aditya Bhalerao, Abdul Raju Shaikh and Dhanaji followed him. The car chased the informant's motorcycle and near village Khalad dashed against the motorcycle. The informant and his friend fell down on the road. The Applicant got down and gave blow on informant's head. He assaulted the informant with kicks and fist blows. People gathered there. The Applicant and others went away. The informant was taken to Government Hospital at Jejuri and thereafter to Sassoon hospital. On this basis FIR is lodged.

3. Heard learned Counsel Mr.Aniket Nikam for the Applicant and learned Mr.S.H. Yadav APP for the State.

4. Learned Counsel Mr.Nikam submitted that the Applicant was arrested on 12/08/2019 and since then he is in custody. He submitted that it was a small incident and the informant and his friend Shubham have not suffered any major injuries. He submitted that considering the totality of the incident, the Applicant deserves to be released on bail.
5. Mr.Yadav opposed this bail application and submitted that the informant had suffered head injury. He submitted that the investigation is almost over and the charge-sheet is about to be filed shortly.
6. I have considered these submissions. I have perused the injury certificates. The medical certificate in respect of injuries suffered by the informant Suraj Bhalerao is issued by Rural Health Center, Jejuri. It mentions that he had suffered two abrasions and nasal bleed. Apart from these injuries there was a CLW with dimensions 8 x 4 cms., but it is described as a simple injury. The certificate given by Rural Health Center shows that the informant was discharged on 15/08/2019. His CT Scan of

brain was shown to be normal. Thus, it appears that the informant had not suffered any life threatening injury. The other injured had suffered two contusions.

7. Thus, considering the nature of injuries and taking into account the fact that the Applicant is in custody since 12/08/2019, I am inclined to grant bail to the Applicant. Hence, the following order :

ORDER

- (i) The Applicant is directed to be released on bail in connection with C.R.No.255/19 registered with Jejuri Police Station, Pune, 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) Application stands disposed of accordingly.

(SARANG V. KOTWAL, J.)