

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL ANTICIPATORY BAIL APPLICATION NO.2345 OF 2019

Yuvraj Vitthal Golait

Applicant

versus

The State of Maharashtra

Respondent

Mr.Jayendra D. Khairnar for applicant.

Smt.Geeta P. Mulekar, APP, for State.

CORAM : PRAKASH D. NAIK, J.

DATE : 10th December 2019

PC :

1. This is an application for anticipatory bail in CR No.240 of 2019 registered with Malegaon Taluka Police Station, Malegaon for offences under Sections 326, 323, 504, 506 r/w 34 of IPC.

2. The case of the prosecution is that on 2nd October 2019 the complainant was loading his carriage vehicle with the help of his servants. The applicant and one unknown person came there and started abusing the complainant and also stopped his vehicle. They were threatened of dire consequences. The nephew of applicant assaulted the complainant on head by spade. The complainant was allegedly assaulted on hands, stomach and legs with the help of stone.

3. The FIR was lodged at the instance of applicant vide CR No.I-238 of 2019 with the same Police Station under Sections 326, 324, 323, 504, 506 of IPC. The said FIR was first in point of time. The applicant was granted interim protection vide order dated 23rd October 2019 with a direction to attend Malegaon Taluka Police Station. Learned counsel for applicant submitted that the applicant

has attended the Police Station. Subsequently by order dated 27th November 2019 the condition to attend was relaxed with the direction that applicant shall attend as and when called till 10th December 2019.

4. Learned APP submits that in the present case the injured has sustained head injury whereas in the cross case injury was sustained to hand. I have perused the order dated 17th October 2019 passed by this Court in the application preferred by Sachin Kankariya and others in CR No.I-238 of 2019. The said application was allowed.

5. In the light of factual aspects of this matter and since cross cases are involved and also considering the fact that the applicant has complied the condition of reporting the Police Station, the interim protection granted by this Court deserves to be confirmed. Hence, I pass following order :

ORDER

- (i) Criminal Anticipatory Bail Application No.2345 of 2019 is allowed and disposed of;
- (ii) Interim order dated 17th October 2019 is confirmed;
- (iii) In the event of arrest of applicant in connection with CR No.I-238 of 2019 registered with Malegaon Taluka Police Station, Malegaon, the applicant be released on bail on furnishing PR bond in the sum of Rs.25,000/- with one or more sureties in the like amount;

(PRAKASH D. NAIK, J.)