

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO. 2402 OF 2019

Makarand Bhausaheb Shirsat

...Applicant

V/s.

The State of Maharashtra
(At the instance of Vishnu
Nagar Police Station vide
C.R.No.I-88 of 2019)

....Respondent

Mr. S.R. Phanse, Advocate for the applicant.

Mr. V.M. Nakhawa, APP for State.

CORAM : SANDEEP K. SHINDE, J.

Monday, 18th November, 2019.

P.C. :

1. Heard learned Counsel for the parties.
2. Apprehending arrest in C.R. No.I-88 of 2019 registered with Vishnu Nagar Police Station for the alleged offences punishable under Sections 307, 324, 504, 506(II) read with Section 34 of the Indian

Penal Code.

3. It is alleged that, on 30th April, 2019 at 9.45 a.m., Jayesh and Makarand assaulted the complainant by fist blows; whereas other two accused assaulted the complainant on his head with beer bottle and a chopper.

4. The role attributed to the present applicant is the same which is attributed to Jayesh Bhoir. This Court has granted pre-arrest bail to Jayesh Bhoir in Anticipatory Bail Application No. 1238 of 2019 by order dated 26th June, 2019.

5. The learned Counsel seeks pre-arrest bail on the ground of parity.

6. The learned APP has opposed the application contending that there are two crimes registered against the present applicant, one under Section 326 in the year 2005 and another under the Arms Act, 1959 in the year 2015. Learned APP fairly concedes that the role attributed is the same as the role attributed to Jayesh.

7. In the circumstances, the application is granted on the following conditions :

ORDER

(i) In the event of arrest of the applicant in C.R. No. I-88 of 2019 registered with Vishnu Nagar Police Station for the alleged offences punishable under Sections 307, 324, 504, 506(II) read with Section 34 of the Indian Penal Code, he be enlarged on bail, on executing P.R. Bond in the sum of Rs.20,000/- with one or two sureties in the like amount;

(ii) The applicant shall report to the Investigating Officer of the Police Station concerned, as and when called by the Investigating Officer.

(iii) The applicant shall not tamper with the evidence or attempt to influence or contact the complainant, witnesses or any person concerned with the case.

(iv) The applicant shall inform his latest place of residence and mobile contact number immediately and/or change of residence or mobile details, if any

*from time to time to the court seized of the matter
and to the Investigating Officer of the Police
Station concerned.*

*(v) The applicant to co-operate with the
investigation.*

(SANDEEP K. SHINDE, J.)