

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL ANTICIPATORY BAIL APPLICATION NO.2560 OF 2019

Amol Madan Sansare

Applicant

versus

The State of Maharashtra

Respondent

Mr.Pranav H. Bhoite for applicant.

Mr.S.H.Yadav, APP, for State.

Mr.R.B.Adhikri, API, Daund Police Station, present.

CORAM : PRAKASH D. NAIK, J.

DATE : 22nd November 2019

PC :

1. This is an application for anticipatory bail in connection CR No.303 of 2019 registered with Daund Police Station, Pune District, for offences under Sections 307, 143, 147, 148, 323, 337, 504 and 506 of Indian Penal Code.

2. The case of the prosecution is that on 17th May 2019 a mob of about 15 to 20 people had gathered at the place of incident and they assaulted by pelting stones as well as by fist and kick blows. The victim got injured. The statement of the complainant as well as the injured were recorded during the course of investigation. Two other accused namely Shrikant Thorat and Pramod Rane preferred anticipatory bail applications which were withdrawn.

3. Learned counsel for applicant submits that no specific overt act has been attributed to the applicant. The complainant has vaguely stated that all the accused were pelting stones and were assaulting

him. It is further submitted that from the statement of the injured person it can be seen that specific role has not been assigned to the applicant. It is submitted that the co-accused who were arrested were granted bail. The injury certificate only refers to one grievous injury and other simple injuries. It is submitted that the case of the applicant can be distinguished from the co-accused, who had withdrawn their applications for anticipatory bail before this Court.

4. On perusal of FIR it is apparent that the applicant was present at the scene of offence. He had participated in the crime. In the statement of complainant it is mentioned that the applicant had assaulted by fist and kick blows. Considering the circumstances, no case for grant of anticipatory bail is made out. Criminal Anticipatory Bail Application No.2560 of 2019 is rejected.

(PRAKASH D. NAIK, J.)

MST