

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

ANTICIPATORY BAIL APPLICATION NO.2626 OF 2019

Manoj Balasaheb Patole	.. Applicant
<i>Vs.</i>	
State of Maharashtra	.. Respondent

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Mr.Rupesh Atul Zade, Advocate for the Applicant.

Mr.S.H. Yadav, APP for the Respondent – State.

PSI B.B. Jadhav, Baramati Taluka Police Station, Pune (R), Pune,
present.

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CORAM : PRAKASH D. NAIK, J.

DATED : NOVEMBER 29, 2019.

P.C. :

This is an application for anticipatory bail in connection with C.R.No.561 of 2019, registered with Baramati Taluka Police Station, Pune (Rural), Pune, for the offences punishable under Sections 143, 147, 149, 323, 324, 307, 427 and 506 of Indian Penal Code (“IPC”, for short).

2 The complaint was lodged by one Sachin Shankar Chavan. It is alleged that on 2nd July, 2019, there was dispute between brother of the complainant Ganesh and their relatives on

account of misbehaviour with the daughter of Suresh Jadhav. Meeting was arranged to resolve the dispute. On 3rd July, 2019, the complainant along with his brother Ganesh, Vitthal, Mahesh Chavan, Sagar Chavan, Mahadev Chavan, Nana Jadhav, Soma Jadhav reached the house of Sursh Jadhav. At that time, Suresh Jadhav and Kamlakar Jadhav were holding sticks in their hands. Accused Santosh Jadhav was having a sword in his hand and the other accused Bhau Jadhav was also having sword in his hand. Navnath Jadhav and Khabya Patole were having iron rod in their hands. They assaulted the complainant and others. Applicant was attributing role of assaulting wooden log to brother of complainant Vitthal Chavan.

3 It is submitted that on account of previous dispute, false FIR has been registered. Accused nos.1, 3 and 4 who have been attributed role of having assaulted with weapons were arrested and they have been granted bail and even charge-sheet have been filed against them. Cross case is filed.

4 Learned APP submitted that the applicant is named in the FIR. He has participated in the crime along with co-accused. He assaulted Vitthal Chavan. Learned APP pointed out the

medical certificate in respect to treatment of Vitthal Chavan. The said certificate indicate that Vitthal Chavan was treated on 4th July, 2019 from 10:30 a.m. to 4:30 p.m. He has complained of body-ache and weakness. The role attributed to the Applicant is that he had assaulted Vitthal Chavan by wooden log. There is no corresponding injury sustained by injured as apparent from the medical certificate. Considering the aforesaid circumstances, relief under Section 438 of Cr.P.C. can be granted to the Applicant on certain conditions.

7 Hence, I pass the following order:

:: ORDER ::

- (i) Anticipatory Bail Application No.2626 of 2019, is allowed;
- (ii) In the event of arrest of the Applicant in connection with C.R.No.561 of 2019, registered with Baramati Taluka Police Station, Pune (Rural), Pune, he be released on bail on his executing P.R. Bond in the sum of Rs.25,000/-, with one or two sureties in the like amount;

- (iii) Applicant shall report to investigating officer on 5 to 7th December, 2019, between 10:00 a.m. to 12:00 noon, and, thereafter, as and when called for till filing of charge-sheet;
- (iv) Anticipatory Bail Application stands disposed of.

(PRAKASH D. NAIK, J.)