

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

ANTICIPATORY BAIL APPLICATION NO. 2803 OF 2019

1. Hrushikesh Mohan Kashid
 2. Rushikesh Machindra Kashid
- ...Applicants

Versus

The State of Maharashtra

...Respondent

.....

Mr. Vijaykumar Bhima Dighe a/w Mr. Sourabh Patil, Advocate for the Applicants.

Smt. Veera Shinde, APP for the State-Respondent.

.....

CORAM : PRAKASH D. NAIK, J.

DATE : 19th December, 2019

PC :

1. The applicants are apprehending arrest in C.R. No. 368 of 2019 registered with Khed Police Station, Pune for offences punishable under Sections 326, 324, 323, 504, 506 r/w 34 of IPC. The applicant had preferred an application for anticipatory bail before the sessions Court which has been rejected.
2. The prosecution case is that on 15th October, 2019, applicants had assaulted the victim by cricket stump. The applicant No.1 was attributed role of hitting the injured on his head by cricket stump and the applicant No.2 had assaulted the injured by another cricket stump on his legs.
3. Learned counsel for the applicants submits that there are

contradictions in the prosecution case. The co-accused were arrested and granted bail. The injuries were simple. After the arrest of the co-accused, four cricket stumps were recovered from the applicants. There are no criminal antecedents against the applicants.

4. Learned APP pointed out the FIR and injury certificate of injured person. It is submitted that the specific role of assault is attributed to both the applicants.

5. The co-accused were arrested and granted bail. The FIR attributed role of assault to both the applicants. Both of them were involved in the assault on injured by cricket stumps on his head and legs. The injury certificate refers to the injuries on head and face of injured person. The first informant has attributed specific overt act to the applicants which is supported by the medical evidence. In view of these no case for grant of bail is made out.

6. Hence, I pass the following order.

ORDER

Anticipatory Bail Application No. 2803 of 2019 is rejected and stands disposed of accordingly.

(PRAKASH D. NAIK, J.)