

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

CRIMINAL BAIL APPLICATION NO. 3404 OF 2018

Ketan Nathaso Kuthal & Ors. ... Applicants

Versus

The State of Maharashtra ... Respondent

Mr. Prashant S. Hagare for Applicants.

Mr. S. S. Hulke, APP for Respondent – State.

CORAM : NITIN W. SAMBRE, J.

DATE : JANUARY 18, 2019.

P.C. :

. In Crime No. 232 of 2018 for an offence punishable under Sections 143, 147, 148, 149, 307, 323, 504 and 506 of the Indian Penal Code and Section 135 of the Maharashtra Police Act the Applicants are seeking regular bail.

2. So far as the Applicant No. 1 - Ketan and Applicant No. 2 – Abhishek are concerned, allegations against them can be confirmed from the injury certificate. In view of the version of the complainant who is victim in the present crime, the prayer for release of the Applicant Nos.1 and 2 is rejected.

3. So far as the Applicant No.3 – Arvind and Applicant No. 4 – Hanumant are concerned, the role attributed to them is that of use of stick and fist blows in the commission of crime. There are no corresponding injuries. As such, their prayer for release on bail is allowed on the following conditions.

- (A) The Applicant No.3 – Arvind Bhandwalkar and Applicant No. 4 – Hanumant Jadhav be released on bail in Crime No. 232 of 2018 for an offence punishable under Sections 143, 147, 148, 149, 307, 323, 504 and 506 of the Indian Penal Code and Section 135 of the Maharashtra Police Act on executing PR Bond of Rs.15000/- each with one or more sureties in the like amount.
- (B) Both the Applicants shall neither tamper the evidence of prosecution nor influence the prosecution witnesses.
- (C) In case if both the Applicants are found involved in any other crime, the prosecution will be at liberty to move for cancellation of bail.

4. Criminal Bail Application stands disposed of accordingly.

(NITIN W. SAMBRE, J.)