

IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
NAGPUR BENCH, NAGPUR

CRIMINAL APPLICATION (ABA) NO.509/2019

Shantanu s/o Ravindra Bhannagare

..VS..

State of Mah., thr. PSO Rajapeth, Amravati, District Amravati

.....
Office Notes, Office Memoranda of Coram,
appearances, Court orders or directions
and Registrar's orders

Court's or Judge's Order

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Shri M.V.Rai, Counsel for the Applicant.
Shri V.A.Thakare, Addl.P.P. for the State.

CORAM : V.M.DESHPANDE, J.
DATED : AUGUST 30, 2019.

1. This is an application for grant of anticipatory bail since the applicant is apprehending his arrest in connection with Crime No.352/2019 registered with Rajapeth Police Station, District Amravati for offences under Sections 326 and 504 of the Indian Penal Code.
2. Heard learned counsel Shri M.V.Rai for the applicant and learned Additional Public Prosecutor Shri V.A.Thakare for the State.
3. First Information Report is lodged by Shreyas Tayde on 4.6.2019. From the First Information Report, it is clear that the first informant and the applicant are students of Engineering and they share a rented room. It appears from the First Information Report that verbal altercation took place between them on account of cellphone which according to the prosecution, resulting into assault by stick

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on the head of injured.

4. The stick is already seized from spot, as per submission of learned Additional Public Prosecutor Shri V.A.Thakare for the State.

5. From statement of Shreyas, *prima facie* it appears that the applicant assaulted on him

6. The applicant, *prima facie* it appears from statement of Shreyas, assaulted on him, however in this case this Court is taking lenient view in view of the fact that the present applicant is also aged about 20 years and is a student of Engineer College. However, if he is apprehended, it will definitely destroy and tarnish his career. Cause for verbal altercation was very trivial and it cannot be said *prima facie* that there was any intention on the part of the applicant to give a stick blow. It appears that it has done in a rage of hit.

7. Since weapon is already recovered and the applicant has already attended police station as per conditions imposed upon him by this Court (Coram : Manish Pitale, J.) on 26.7.2019 while releasing *ad interim* bail, in my view, the present application can be allowed. Consequently, I pass following order:

ORDER

(i) The criminal application is allowed.

(ii) In the event of arrest of applicant-Shantanu s/o Ravindra Bhannagare, in connection with Crime No.352/2019

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registered with Rajapeth Police Station, District Amravati for offences under Section 326 and 504 of the Indian Penal Code, the applicant be released on bail on he executing a P.R.Bond in the sum of Rs.5000/- with one solvent surety of the like amount.

(iii) With this, the criminal application stands disposed of accordingly.

JUDGE

!! BRW !!

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