

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

CR. ANTICIPATORY BAIL APPLICATION NO.25 OF 2020

Prakash Bhagwan Yadav

....Applicant

V/s.

The State of Maharashtra

....Respondent

Mr. Laxman S. Deshmukh, for the Applicant.

Smt. Geeta P. Mulekar, APP for the Respondent-State.

CORAM : PRAKASH D. NAIK, J.

DATE : 10th January, 2020

P.C.:

1. This is an application for Anticipatory Bail in connection with C.R.No.181 of 2019, registered with Mhaswad Police Station, Taluka- Man, District-Satara, for offences punishable under Sections 326, 143, 147, 148, 149, and 504 of the Indian Penal Code ('IPC' for short).

2. The First Information Report was lodged by Subhash Madhukar Sakhare. The offence was registered with Mhaswad Police Station on 11th October 2019. It is alleged that, on 02nd October 2019, complainant along with others had visited matrimonial house of sister Sushma Yadav. At that time they were

assaulted by the accused. The applicant had allegedly assaulted the complainant below elbow of his right hand and other injured Santosh Sakhare was also assaulted on his chest by sickle.

3. Learned counsel for the applicant submitted that, there is delay in lodging the First Information Report. Cross case is registered at the instance of the applicants with the same Police Station, vide C.R.No.179 of 2019, for offences punishable under Sections 143, 147, 149, 324, 452, 323, 504, 506 r/w 34 of the Indian Penal Code. According to complainant, the first incident had occurred on 02nd October 2019. However, only non-cognizable complaint was registered. The complaint was lodged after traveling about 45 km. It is submitted that Akshay Yadav (son of the applicant) had also sustained injury in the nature of incised wound and contusion by sharp object as reflected in the injury certificate.

4. Learned APP submitted that, specific role has been attributed to the applicant. The injured Santosh Sakhare sustained injury by hard and sharp object on chest. The complainant Subhash Sakhare is admitted at Akluj Critical Center and he had sustained injury at right elbow. The allegation against the applicant is that, he had assaulted by sickle. The statement of the complainant was recorded by Police Head Constable, Akluj Police Station on 3rd

October 2019. He had narrated the incident to police. Role has been attributed to the applicant. The injured had sustained injury, as alleged in the statement. Considering the aforesaid circumstances, no case for grant of anticipatory bail is made out.

ORDER

- (i) Anticipatory Bail application No. 25 of 2020 is rejected.

(PRAKASH D. NAIK, J.)