

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL ANTICIPATORY BAIL APPLICATION NO.308 OF 2020

1. Rahul Magar Budhawale,
2. Atul Vitthal Budhawale,
3. Malhari Tanaji Mandale,
4. Sachin Vitthal Budhawale,
5. Hanmant Ananta Budhawale,
6. Sachin Malhari Madane,
7. Rajkumar Shivaji Shirtode

Applicants

versus

The State of Maharashtra

Respondent

Mr.Kuldeep U. Nikam for applicants.

Mr.H.J.Dedhia, APP, for State.

CORAM : PRAKASH D. NAIK, J.

DATE : 27th February 2020

PC :

1. The applicants are apprehending arrest in CR No.334 of 2019 registered with Atpadi Police Station, District Sangli, for offences under Sections 327, 324, 323, 143, 147, 148, 149, 504, 506 of Indian Penal Code.

2. The case of complainant Jitendra More is that he is member of Gram Panchayat Dighanchi, Ward no.1. Work shop was organized by Block Development Officer and notice was issued by Gram Panchayat to members. The complainant's name was not included in the notice. On 17th December 2019 the complainant visited the office of Gram Panchayat and made inquiries with applicant no.1 about non inclusion of his name in the notice. The accused could not give satisfactory explanation. There was verbal altercation. All the

applicants were armed with sticks and on 19th December 2019 they assaulted the complainant. Applicant no.1 had assaulted by stick and applicant nos.2 to 7 had allegedly assaulted by fist and kick blows. During scuffle, the chain of complainant was found missing.

3. Heard both sides. Since the Court was not inclined to grant relief to applicant no.1, learned counsel states that he has instructions not to press the relief on behalf of applicant no.1. However, considering the role attributed to applicant nos.2 to 7, the relief u/s 438 of Cr.PC can be granted to them. Hence, I pass following order :

ORDER

- (i) Anticipatory Bail Application qua applicant no.1 Rahul Magar Budhawale stands rejected as not pressed;
- (ii) In the event of arrest of applicant nos.2 to 7 referred above in connection with CR No.334 of 2019 registered with Atpadi Police Station, District Sangli, they be released on bail on furnishing PR bond in the sum of Rs.25,000/- each with one or more sureties in the like amount;
- (iii) The applicant nos.2 to 7, shall report the Investigating Officer on 11th and 12th March 2020 between 11 am and 1 pm, and thereafter as and when called for till filing of charge sheet.

(PRAKASH D. NAIK, J.)

MST