

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

CR. ANTICIPATORY BAIL APPLICATION NO.30 OF 2020

Krushnat Yallapa Powar & AnrApplicants

V/s.

The State of MaharashtraRespondent

**WITH
INTERIM APPLICATION NO.1 OF 2020**

Mr. Vikram Aanandrao KalyankarIntervener

V/s.

The State of MaharashtraRespondent

Mr. Tejas Hilge, for the Applicant in ABA No.30 of 2020.
Mr. Paras D. Yadav, for Intervener.
Mr. S. R. Shinde, 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.180 of 2019, registered with Bhudargad Police Station, District- Kolhapur, for offences punishable under Sections 307, 504 r/w 34 of the Indian Penal Code ('IPC' for short).

2. The First Information Report was lodged on 5th December 2019 by Vikram Kalyankar. It is alleged that, the accused had parked the vehicle which had created obstruction on the road. Therefore, complainant requested the accused to remove the vehicle from place and park at some other place. The applicant No.1 had assaulted by iron rod on the hand of the complainant and Applicant No.2 had assaulted by sattur on head.

3. The applicants had preferred an application for anticipatory bail before the Sessions Court which has been rejected. Learned counsel for the applicants submitted that, during the pendency of their application before the Sessions Court, they were granted interim protection. They have co-operated with the investigation. The case is false. The complainant had not sustained any serious injury. He got himself admitted in the private hospital. The applicant No.2 was not present at the time of incident. He was 6 km away, at the time of occurrence. The victim had fallen from the vehicle and sustained injury.

4. Learned APP and learned counsel for the intervener submitted that, specific role has been attributed to the applicant. The Injury Certificate supports the prosecution case. The statements of witnesses have shown involvement of the applicant in the crime. It

is submitted that the complainant had sustained head injury due to assault by weapon, in the nature of CLW over Parietal Region. I have perused documents on record. Specific over act has been attributed to the applicant. The Injury Certificate corroborates the case of the prosecution. Considering the aforesaid circumstances, no case for grant of anticipatory bail is made out.

ORDER

(i) Anticipatory Bail application No. 30 of 2020 is rejected. Interim application No. 1 of 2020 stands disposed of.

(PRAKASH D. NAIK, J.)