

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL ANTICIPATORY BAIL APPLICATION NO.105 OF 2020

Vijay @ Khabya Shankar Patole	Applicant
versus	
The State of Maharashtra	Respondent

Mr.Rupesh A. Zade for applicant.
Mr.S.H.Yadav, APP, for State.

CORAM : PRAKASH D. NAIK, J.

DATE : 15th January 2020

PC :

1. This is an application for anticipatory bail in connection with CR No.561 of 2019 registered with Baramati Taluka Police Station, Pune Rural, for offences punishable under Sections 143, 147, 149, 323, 324, 307, 427 and 506 of Indian Penal Code.

2. The complaint was lodged by one Sachin Shankar Chavan. It is alleged that on 2nd July 2019, there was dispute between brother of the complainant Ganesh and their relatives on account of misbehaviour with the daughter of Suresh Jadhav. Meeting was arranged to resolve the dispute. On 3rd July 2019, the complainant along with his brother Ganesh, Vitthal, Mahesh Chavan, Sagar Chavan, Mahadev Chavan, Nana Jadhav, Soma Jadhav reached the house of Suresh Jadhav. At that time, Suresh Jadhav and Kamlakar Jadhav were holding sticks in their hands. Accused Santosh Jadhav was having a sword in his hand and the other accused Bhau Jadhav was also having sword in his hand. Navnath Jadhav and Khabya Patole were having iron rod in their hands. They assaulted the complainant and others.

3. The applicant had preferred an application for anticipatory bail before Sessions Court which has been rejected.

4. Learned counsel for applicant submits that no specific overt act has been attributed to the applicant. The applicant has been falsely implicated. The charge sheet has been filed against arrested accused. The co-accused Manoj Patole has been granted anticipatory bail by this Court.

5. On perusal of FIR it can be seen that the applicant was armed with iron rod. He is attributed the overt act of assaulting the complainant by iron rod on hand and both legs. The complainant had sustained injuries. The case of co-accused Manoj Patil can be distinguished. He was neither armed with any weapon nor participated in the assault. However, applicant has played role in commission of crime. Hence, no case for grant of anticipatory bail is made out. Hence, Criminal Anticipatory Bail Application No.105 of 2020 is rejected.

(PRAKASH D. NAIK, J.)

MST