

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

CRIMINAL ANTICIPATORY BAIL APPLICATION NO. 140 OF 2020

Daulatrao Kashinath Bangar and Ors. ...Applicants

Versus

The State of Maharashtra ...Respondent

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Mr. Shailesh Kharat, Advocate for the Applicant.
Mr. S. H. Yadav, APP for the Respondent – State.

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CORAM : PRAKASH D. NAIK, J.

DATE : 25th February, 2020

PC :

1. This is an application for Anticipatory Bail in connection with C. R. No. 106 of 2019, registered with Khed Police Station, Pune-gramin for the offences punishable under Sections 452, 323, 504, 506, 143, 147, 148, 149, 363 of Indian Penal Code, 1860 ('IPC' for short). The First Information Report ('F.I.R.' for short) was lodged on 18th March, 2019.

2. The case of the prosecution is that, the applicant and others had dragged the complainant from his house. He was made to sit in the vehicle. He was assaulted. He was taken to some distance. Call was made to Hanumant Bangar and he was told that the accused have brought the complainant with them. Noticing that the people had gathered at the place of incident, the victim was let

off and the accused had left the place.

3. The applicants have contended that, the brother of the applicant Nos. 1 and 2 had lodged the complaint against the present complainant on 12th March, 2018 for the offences punishable under Sections 143,147, 148, 504, 506 of IPC. Investigation is completed and charge-sheet was filed in that case. The First informant was pressurizing the brother Hanumant Bangar to withdraw the said complaint. As counter blast, false F.I.R. has been lodged by implicating the applicant and others.

4. The F.I.R. mentions that, the complainant was dragged from the house. While doing so, one of the accused had assaulted him on his head by iron sickle. The other accused had assaulted him by the wooden log on his legs, thighs, hands and back. However, there are no corresponding injuries on the person of the complainant. Learned APP pointed out the injury certificate of Rural Hospital, which refers to one small contusion by blunt object in the nature of simple injury on the finger of the left hand of the complainant. Thus, the version of the complainant is not corroborated by the medical evidence. The submission of the applicant appears to be sound that, they have been falsely implicated in the case. The applicant no. 1 is Government Servant and there is likelihood of irreparable damage in the event of his arrest.

Considering the aforesaid aspect, the case for grant of Anticipatory Bail is made out.

5. Hence, I pass the following order:

ORDER

- i) Anticipatory Bail Application No. 140 of 2020, is allowed;
- ii) Interim Protection granted vide Order dated 20th January, 2020 stands confirmed.
- iii) In the event of arrest of applicants in C.R. No. 106 of 2019, registered with Khed Police Station, Pune-gramin, the applicant be released on bail on furnishing P. R. Bond in the sum of Rs. 25000/-, each with one or more sureties in the like amount;
- iv) The applicants shall attend Investigating Officer on 5th to 7th March, 2020 between 11.00 a.m. to 1.00 p.m. and thereafter as and when called for till filing of charge-sheet.
- v) Application stands disposed of accordingly.

(PRAKASH D. NAIK, J.)