

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

CRIMINAL ANTICIPATORY BAIL APPLICATION NO. 210 OF 2020

1. Pramod Vitthal Satkar
2. Hanumant Bhivraj Ingale ...Applicants

Versus

The State of Maharashtra ...Respondent

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Mr. Vilas B. Tapkir, Advocate for the Applicants.

Mr. M. G. Patil, APP for the State-Respondent.

Mr. Rajesh Prakash Mali, PSI, Shikrapur Police Station, Pune Rural,
Present.

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CORAM : PRAKASH D. NAIK, J.

DATE : 27th January, 2020

PC :

1. This is an application for anticipatory bail in C.R. No. 778 of 2019 registered with Shikrapur Police Station, Pune for offences punishable under Sections 307, 326, 323, 504 & 506 r/w Section 34 of Indian Penal Code.

2. The FIR was lodged on 7th December, 2019 by the injured Sandip Satkar, alleging that the accused No.1 Amol Satkar was holding iron rod, applicant was holding sickle and Hanumant Ingale was accompanying them. It is alleged that on account of the fact that the complainant had lodged complaint with Tahsildar, Amol Satkar assaulted him by iron rod by giving blow on his head. The uncle of

the complainant intervened. He was assaulted by fist and kick blows by applicant and Hanumant Ingale. The complainant was also assaulted with fist and kick blows. He sustained injuries to his head. His uncle sustained injuries to his leg. They were treated for injuries. While summarizing the incident however, it is mentioned that amol had assaulted by iron rod causing injuries to his head, the applicant No.1 had assaulted by sickle and applicant No.2 had assaulted by fist/kick blows.

3. Cross case was registered against the complainant by Amol Satkar with the same Police Station on 11th December, 2019 and offences were registered under Section 323, 326, 341, 504 & 506 r/w 34 of Indian Penal Code. Amol Satkar had sustained injury on left parietal region and blunt trauma over right side on chest. The applicant No.1 had also sustained injuries.

4. Learned APP submitted that Amol Satkar was hospitalized for a period of 10 days. On perusal of the FIR it is apparent that, although the applicant was allegedly armed with weapon in the narration of incident, role attributed to the applicant is that he had assaulted by fist and kick blows. The assault by iron rod was attributed to accused No.1. Learned APP submitted that the complainant Sandip Satkar had sustained head injury which is

grievous and the other injuries were simple. However, considering the role attributed to the applicants and registration of cross case, the applicants need not be subjected to police custody.

5. Hence, I pass the following order.

ORDER

- i) Anticipatory Bail Application No.210 of 2020 is allowed;
- ii) In the event of arrest of applicants in C.R. No. 778 of 2019 registered with Shikrapur Police Station, Pune, applicants 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;
- iii) The applicants shall attend Investigating Officer on 3rd, 4th & 5th February, 2020 between 11.00 a.m. to 1.00 p.m. and thereafter as and when called for till filing of charge-sheet.
- iv) Anticipatory Bail Application stands disposed of accordingly.

(PRAKASH D. NAIK, J.)