

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

**ANTICIPATORY BAIL APPLICATION NO.352 OF 2020**

|                           |               |
|---------------------------|---------------|
| Lakhan Ramchandra Thombre | .. Applicant  |
| <b><i>Vs.</i></b>         |               |
| State of Maharashtra      | .. Respondent |

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Mr.Nikhil N. Pawar, Advocate for the Applicant.  
Mr.S.H. Yadav, APP for the Respondent – State.

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**CORAM : PRAKASH D. NAIK, J.**

**DATED : FEBRUARY 11, 2020.**

**P.C. :**

This is an application for anticipatory bail in connection with C.R.No.415 of 2019, registered with Vita Police Station, Sangli, for the offences punishable under Section 326, 323, 504 and 506 read with 34 of Indian Penal Code ("IPC", for short). First Information was lodged on 28<sup>th</sup> September, 2019.

2           The prosecution case is that the applicant and others had entered into the house of the informant on 27<sup>th</sup> September, 2019. They were armed with sticks and swords. Applicant was suspecting the character of the informant. Accused assaulted the complainant and others. The complainant has stated that she has

sustained fracture to her hand on account of the assault. The injured were treated in the hospital.

3            Learned counsel for the applicant submitted that Section 326 is not attracted in this case. The said provision has been invoked to show the gravity of the offence. Medical evidence does not support the prosecution case. The injuries sustained by the applicant was not serious, which is evident from the fact that she could move around.

4            Learned APP submits that the applicant with the help of others entered into the residential premises and assaulted complainant and others. The investigation is in progress.

5            On perusal of the FIR, it is apparent that the incident is of serious nature. The applicant and his associates were armed with bamboo sticks and swords. Complainant who is wife of the applicant was assaulted. The co-accused has assaulted other family members of the informant. At this stage, it is not possible to accept the contentions of the applicant that the offence under Section 326 is not attracted in this case. Considering the gravity of the offence, no case for grant of anticipatory bail is made out.

6 Hence, I pass the following order:

**:: ORDER ::**

- (i) Anticipatory Bail Application No.352 of 2020,  
stands rejected and disposed of accordingly.

**(PRAKASH D. NAIK, J.)**