

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

CRIMINAL ANTICIPATORY BAIL APPLICATION NO. 401 OF 2020

Anil Ramrao Doifode

...Applicant

Versus

The State of Maharashtra

...Respondent

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Mr. Shekhar A. Ingawale, Advocate for the Applicant.

Smt. Veera Shinde, APP for the Respondent – State.

Ms. Smita Gaidhani, Advocate for the complainant. (Mr. Sunil Ramrao Doifode, complainant Present in Court.)

Mr. Nishandar, A.P.I. Vadgaon Police Station, Kolhapur, Present.

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CORAM : PRAKASH D. NAIK, J.

DATE : 17th February, 2020

PC :

1. This is an application for anticipatory bail in connection with C.R. No. 19 of 2020 registered with Vadgaon Police Station, Kolhapur, for offences punishable under Sections 307, 392, 279, 337, 324, 504 & 506 of Indian Penal Code and Sections 3 & 25 of the Indian Arms Act.

2. The applicant and the complainant are real brothers. It is alleged that the accused took out revolver from his pant and pointed it on the head of the complainant and threatened that on earlier occasion also he was asked to leave the village but he has not listened to him. He pressed the trigger. However, there was no firing.

The complainant is present in the Court. He is represented by advocate. Affidavit has been filed by the complainant stating that they have resolved the dispute. Learned advocate for the applicant submits that the applicant and the complainant want to maintain harmonious relations. It is submitted that revolver has been surrendered to S.C. Nagmoti at Sangali, Arms and Ammunition Dealers.

3. Learned counsel for the complainant submits that, complainant has no objection for granting anticipatory bail to the applicant.

4. Learned APP submits that the contents of the affidavit are contrary to the statement of the complainant and the statement of the wife of the complainant recorded under Section 164 of Cr.P.C. The genuineness of the version of the complainant reflected in affidavit would be decided in the appropriate proceeding. Considering the fact that, both are brothers and in view of this submissions of both the sides, anticipatory bail can be granted to the applicant.

5. Hence, I pass the following order :

ORDER

- i) Anticipatory Bail Application No. 401 of 2020 is allowed;
- ii) In the event of arrest of applicant in C.R. No. 19 of 2020 registered with Vadgaon Police Station, Kolhapur, the applicant be released on bail on furnishing P. R. Bond in the sum of Rs. 25000/-, with one or more sureties in the like amount;
- iii) Application stands disposed of accordingly.

(PRAKASH D. NAIK, J.)