

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL ANTICIPATORY BAIL APPLICATION NO.137 OF 2020

Sunil Yallappa Lingale	Applicant
versus	
The State of Maharashtra	Respondent

WITH
CRIMINAL ANTICIPATORY BAIL APPLICATION NO.995 OF 2019

Hambirrao Vilas Khot	Applicant
versus	
The State of Maharashtra	Respondent

WITH
CRIMINAL ANTICIPATORY BAIL APPLICATION NO.2467 OF 2019

Vinod Vilas Patil and others	Applicants
versus	
The State of Maharashtra	Respondent

WITH
CRIMINAL ANTICIPATORY BAIL APPLICATION NO.2631 OF 2019

Ravindranath Kashinath Jadhav	Applicant
versus	
The State of Maharashtra	Respondent

Mr.Sachin H. Deokar for applicant in ABA No.137 of 2020.
Ms.Rati Sinhasane i/by U.R.Mankapure for applicants in ABA Nos.995/2019 and 2631/2019.
Mr.Sarwadnya S. Kadtane i/by Kuldeep U. Nikam for applicant in ABA No.2467/2019.
Smt.A.A.Takalkar, APP, for State.
Mr.D.G.Jagdale, Dy.S.P; Jath Division, Jath, Dist.Sangli, present.

CORAM : PRAKASH D. NAIK, J.

DATE : 18th February 2020

PC :

1. The applicants in all these applications are seeking anticipatory bail in CR No.81 of 2019 registered with Kavathe Mahankal Police Station for offences under Sections 395, 397, 341 of Indian Penal Code.

2. The prosecution case is that the complainant Mohammed Akram Pasha lodged FIR with Kavathe Mahankal Police Station on 20th March 2019 stating that he is residing at Rahmaniya Nagar, Tal.Miraj and is doing business of selling and buying fruits. It is alleged by the complainant that on 11th March 2019 at about 12.30 hours by his own vehicle viz Tata Safari Jeep bearing No.KA-01-MG-1301, he was going towards Palus by Takli Bolwad Miraj road with one farmer Suresh Gaikwad and friend PKumar (Abdulla). At that time near Bolwad village, from opposite side at corner, one vehicle (tamtam) was coming and at the back one motorcycle came very speedily and dashed the vehicle of the complainant. Therefore the complainant got down from his vehicle and seen. It is further alleged that the said person was injured and his motorcycle and vehicle of the complainant was damaged. It is further stated that when the complainant asked about his name, he told his name Vilas Tone @ Khot. It is alleged that thereafter the complainant took the said person at Miraj Mission Hospital and admitted him for treatment. It is further alleged that without any wrong on behalf of the complainant, he paid expenses of medical treatment of said person.

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

4. Learned counsel for applicants in all the applications submitted that they are not named in the FIR. There is no evidence against them. The co-accused was arrested and granted bail. The vehicle and the jeep which was allegedly used for commission of crime has been seized by police. The applicants have co-operated with investigation. Their custodial interrogation is not necessary. Learned APP submitted that during the course of investigation and interrogation of the arrested accused, complicity of the accused was disclosed as participants in the crime. Statements of two witnesses were recorded during investigation in which they have stated that applicants were seen by the said witnesses on the day of the incident on motorcycle. All of them have left towards Jath road. Subsequently it was learnt that the injured was assaulted by the accused. It was further submitted that there are criminal antecedents against applicants. Learned APP submitted that there are two cases against applicant in ABA No.2467 of 2019 and there is one case against applicant in ABA No.2631 of 2019. There are two antecedents against Hambirrao Khot and two cases against Vinod Patil.

5. Considering the aforesaid circumstances, no case for grant of anticipatory bail is made out. Hence, Criminal Anticipatory Bail Application Nos.137 of 2020, 995 of 2019, 2467 of 2019 and 2631 of 2019 are rejected.

(PRAKASH D. NAIK, J.)

MST