

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

CRIMINAL BAIL APPLICATION NO. 2519 OF 2019

Ranjit Nathuram Sargar

...Applicant

Versus

1. The State of Maharashtra
2. Sohel Aashpak Shaikh

...Respondents

**WITH
CRIMINAL BAIL APPLICATION NO. 2520 OF 2019**

Akshay @ Appa Ankush Lokhande

...Applicant

Versus

1. The State of Maharashtra
2. Sohel Aashpak Shaikh

...Respondents

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Mr. Niranjan Bhavake, Advocate for the Applicant in both Bail Applications.

Mr. Vikrant B. Shinde, Advocate for Respondent No.2.

Mr. H. J. Dedhia, APP for the State-Respondent in Bail Application No. 2519 of 2019.

Mr. S. H. Yadav, APP for the State-Respondent in Bail Application No. 2520 of 2019.

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CORAM : PRAKASH D. NAIK, J.

DATE : 30th January, 2020

PC :

1. The applicants in both these applications are seeking bail in connection with C.R. No. 147 of 2019 registered with Umbraj Police Station, Dist. Satara for offences punishable under Sections 307, 386, 427, r/w Section 34 of Indian Penal Code. Both the applicants were

arrested on 14th April 2019.

2. The prosecution case is that the complainant Soheli Shaikh had lodged the FIR on 13th April, 2019 alleging that he was assaulted by the applicants with steel pipe and sickle. The injured sustained injuries on the arm of the complainant. Except one injury on left forearm which is obvious injury, other injuries were simple in nature.

3. Learned advocate for the applicant submitted that the injuries are simple in nature. The first injury on left forearm which is allegedly grievous in nature cannot be termed as within the ambit of Section 320 of Indian Penal Code. The applicants are in custody from the date of arrest. There was no intention to kill the deceased which is apparent from fact that he was not assaulted on vital part of body. He further submitted that the dispute with the complainant has been resolved and he has filed an affidavit giving no objection for grant of bail.

4. Learned APP submitted that the complainant had attributed specific overt act to the applicants. He was assaulted by weapons. The injured had sustained injuries on account of FIR. There are three criminal antecedents against accused Ranjit Nathuram Sargar and one case against accused Akshay @ Appa Ankush Lokhande looking

at the nature of injury and role attributed to the applicants, bail may not be granted to them.

5. Learned advocate for the applicant however submitted that first case registered against the applicant Ranjit Nathuram Sargar has resulted into discharge in accordance with Section 169 of Cr.P.C. Two other cases registered against him are in respect to bailable offences. One case was registered against Akshay Lokhande which was also closed in accordance with Section 169 of Cr.P.C. Learned Counsel for the applicant also submitted that the applicants had filed Writ Petition for quashing proceeding which is pending in this Court. The injuries sustained by the victim were on the arm. The applicants are in custody from the date of their arrest charge-sheet is filed. The complainant has filed an affidavit supporting the applicant. The complainant is identified by the learned advocate representing him. Taking into consideration and aforesaid circumstances, bail can be granted to the applicants.

ORDER

- i) Bail Application Nos. 2519 of 2019 and 2520 of 2020 is allowed;
- ii) The applicants are directed to be released on bail in connection with C.R. No. 147 of 2019

registered with Umbraj Police Station, Dist. Satara on furnishing PR. bond in the sum of Rs. 25,000/- each with one or more sureties in the like amount;

- iii) The applicants shall report concerned police station once in a month on every first Saturday between 10.00 am. to 12.00 pm. till further order.
- iv) Bail Application Nos. 2519 of 2019 and 2520 of 2020 stand disposed of accordingly.

(PRAKASH D. NAIK, J.)