

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

Anticipatory Bail Application No. 747 / 2021

Nitin Shivnarayan Ghorpade .. Applicant

Versus.

The State of Maharashtra .. Respondent

With

Anticipatory Bail Application No. 754 / 2021

Dilip Sonyabapu Fulshete and Others .. Applicants

Versus.

The State of Maharashtra .. Respondent

Mr. Joydeep Chatterji, Advocate for Applicant in ABA No. 747/2021.

Mr. S.J. Salunke holding for Mr. Andhale Sandip, Advocate for the Applicants in ABA No. 754/2021.

Mr. A.V. Deshmukh, APP for State/Respondent.

CORAM : SANDEEP K. SHINDE J.

DATE : 26th JULY, 2021.

[Through Video Conference]

Per Court : –

Heard.

1. Seemingly subsisting land dispute between the family of Ghorpade and Fulshete, caused fight between the members of respective family, on 17th June, 2021. On reports by Ghorpade and Fulshete, Crime Nos. 438/2021 and 418/2021 were registered against each other under Sections 307, 326, 143, 149 of the Indian Penal Code, 1860.
2. Applicant in Anticipatory Bail Application No. 747/2021 is apprehending arrest in Crime No. 438/2021; whereas Applicants in Anticipatory Bail Application No. 754/2021 are apprehending arrest in Crime No. 418/2021. As such, these two pre-arrest bail applications.
3. Heard, learned Counsel for the Applicants in both the applications and learned APP for the State. Perused the investigation record.
4. Although, the Complainants alleged that attack was mounted by deadly weapons. The injuries reported, were simple in nature, as could be seen from injury certificates, issued by Pandit Accident Hospital and Shree Hospital Teesgaon, Taluka Pathardi, Dist. Ahmednagar. Besides there are no criminal antecedents against the

Applicants in both the applications.

5. In view of the facts stated above, both the applications are granted subject to following conditions:

ORDER

(i) In the event of arrest of the applicants in both the applications, they shall be released on bail on executing P.R. Bond in the sum of Rs.15,000/- each, with one or more sureties in the like amount;

(ii) The applicants in both the applications, shall furnish their residential address as well as permanent address and contact details to the Investigating Officer forthwith;

(iii) The applicant in application no. 747/2021 shall report to the Investigating Officer on 30th July, 2021, 2nd, 4th, 6th August, 2021 between 11 pm. to 1 pm. and thereafter as and when called by the Investigating Officer;

(iv) The applicant in application no. 754/2021 shall report to the Investigating Officer on 31st July, 2021, 3rd, 5th, 7th August, 2021 between 11 pm. to 1 pm. and thereafter as and when called by the

Investigating Officer;

(v) The applicants in both the applications, shall not tamper with the evidence or attempt to influence or contact the complainant, witnesses or any person concerned with the case;

(vi) Applicants in both the applications shall file an Undertaking within a week from today and undertake that they shall not indulge into the similar acts in the future;

6. Both the applications are disposed of in the aforesaid terms.

7. It is made clear that observations made hereinabove be construed as expression of opinion only for the purpose of granting bail and the same shall not in any way influence the trial in other proceedings.

(SANDEEP K. SHINDE, J.)

Najeeb...