

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

17 ANTICIPATORY BAIL APPLICATION NO.810 OF 2021
WITH APPLN/1596/2021 IN ABA/810/2021

SACHIN @ KISHOR RAMCHANDRA SOMATE
VERSUS
THE STATE OF MAHARASHTRA

Mr.S.J. Salunke, Advocate for the applicant.
Mrs.V.S. Choudhari, APP for respondent/State.
Mrs.P.G. Sontakke, Advocate for the complainant.

CORAM : SANDEEP K. SHINDE, J.
DATED : 29.07.2021

PC :-

01. Heard learned Counsel for the applicant and learned APP for the State, assisted by the learned Counsel for the complainant.

02. The applicant is a State employee, at Reserved Police Force. He apprehends arrest in connection with Crime No.215 of 2021 registered with Paithan Police Station, Dist. Aurangabad, for the offences punishable under sections 307, 326, 324, 323, 504, 506, 34 of the Indian Penal Code. The complainant is cousin of the applicant; whereas injured are father, mother and the complainant himself. Complainant made specific accusations of overtact against the applicant of causing serious injuries to him and his parents. Learned Counsel appearing for the applicant would submit that the assault was not premeditated, and this fact is discernible from the complaint itself. He submitted if the applicant is

not granted pre-arrest bail, he may lose his job with the State Reserved Police Force. On this ground the applicant seeks pre-arrest bail. Prima facie, I am convinced that the incident of assault was unplanned and had occurred at a spur of moment. The applicant being employee of State Reserved Police Force, instead pursuing this application, he shall surrender to the custody of the learned Sessions Court on 3rd August, 2021 at 11.00 a.m. and apply for bail. This concession is afforded to applicant because of his age and being employed with State Reserved Police Force. If the applicant prefers an application for bail, learned Sessions Judge shall decide the application preferably on the same day without being influenced by this order, on merits. The contentions of the applicant and of the State are expressly kept open.

03. It is clarified that the time granted to the applicant to surrender shall not be construed as a protection being afforded to him.

04. The application is disposed of in aforesaid terms.

05. Pending criminal application is also disposed of.

[SANDEEP K. SHINDE,J.]