

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

933 ANTICIPATORY BAIL APPLICATION NO.1281 OF 2021

JAGAN DHARMA KOLI
VERSUS
THE STATE OF MAHARASHTRA

...
Advocate for Applicant : Mr. Vijay B. Patil
APP for Respondents: Mr. S.B. Narwade.

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CORAM : PRAKASH D. NAIK J.

DATE : 25th NOVEMBER, 2021.

PER COURT:

1] The applicant is apprehending arrest in Crime No.139 of 2021 registered with Bhusawal Taluka Police Station, District Jalgaon for the offences under section 452, 324, 504, 506, 143, 147, 149 of the Indian Penal Code (for short 'IPC'), under sections 37(1)(3), 135 of Maharashtra Police Act and under section 3/25 of Indian Arms Act.

2] The first information report was registered on 27th August, It is alleged that on 26.8.2021 Jagan Koli and two unknown persons threatened him. In the night at about 8.30 p.m. the applicant and other accused had visited the house of the complainant armed with iron rod, hockey stick and assaulted the complainant. He had sustained injuries. One of them removed pistol and then ran away with pistol.

3] The FIR in Crime No.140/2021 was registered on 27.8.2021 by Dhiraj Uttam Koli for offences under sections 326, 326, 323, 143, 147, 149 of IPC against Laxman Balu Sapkale and

unknown persons. It was alleged that, on 26.8.2021 quarrel was going on between his uncle Jagan Dharma Koli and one person. The complainant and others intervened. The said person left the place. His uncle told the name of that person as Laxman Sapkale. They approached Laxman Sapkale. He called others. He brought iron rod and assaulted complainant and others. Jagan Koli was assaulted by rod on his head. Laxman Sapkale and others started assaulting with sticks and kicks. Police arrived. Accused ran away.

4] Learned Advocate for applicants submit that, there are cross cases. Applicant was assaulted. He sustained injuries. Section 452 is not attracted. No specific overt act is attributed to applicant. Dhiraj Koli has been released on bail.

5] Learned APP submitted that applicant is involved in crime. Specific role is attributed to him. Medical certificate supports case of prosecution.

6] Injury certificate of Laxman Sapkale dated 27.8.2021 which indicates that he had suffered two contusions which is of simple nature. The injury certificate of the applicant dated 21.11.2021 indicates that the injury in the nature of fronto parietal region on midline approximately 8 cm.. There are no criminal antecedents against the applicant. There are cross cases. Custodial interrogation is not necessary.

ORDER

i] In the event of arrest of the applicant in Crime No. 139 of 2021 Taluka Bhusawal Taluka Police Station, District Jalgaon, the applicant be released on bail on executing PR bond in the sum of Rs. 25,000/- with one or more sureties in the like amount.

- li] The applicant shall report to the I.O. on 6th, 7th and 8th December, 2021 between 11.00 a.m. to 1.00 p.m. and thereafter as and when called by I.O. till filing of charge sheet.
- lii] The applicant shall not tamper with the evidence.
- lv] The application stands disposed of.

[PRAKASH D. NAIK]
JUDGE

GRT/-.