

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO.1874 OF 2021

1. Omkar Dattatray Sodmise
2. Ramdas Rangoba Sodmise
3. Satish Navnath Karche
4. Gorakh Bapurao Holkar .. Applicants

Vs.

The State of Maharashtra .. Respondent

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Mr. Pankaj Deokar i/b Ms. Mrunal Jadhav for the Applicants.

Ms. Rutuja Ambekar, A.P.P. for the State.

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CORAM : SMT. BHARATI DANGRE, J.

DATED : 13TH AUGUST, 2021.

P.C:-

1. Learned A.P.P. has produced on record the injury certificates of Sanjay Sodmise, Subhash Sodmise, Bapurao Sodmise, Suman Sodmise, Rajendra Sodmise and Kiran Sodmise.

2. The Complainant Sanjay Sodmise has narrated the incident

to the effect that on 16/05/2021, the persons in his neighbourhood being Ankush, Dattatraya, Bapurao and Omkar were cutting the trees in the field belonging to him. On questioning their act, they yelled at the Complainant and abused. It is then alleged that when his brothers, Kiran Sodmise Rajendra Sodmise and his mother Suman Sodmise and father Bapurao Sodmise as well as cousin Subhash Sodmise arrived at the spot and attempted to intervene, the accused persons assaulted them. As far as the four Applicants in the present Application are concerned, Omkar Sodmise i.e. Applicant No.1 is alleged to have assaulted Subhash by means of stick on his hand. Gorakh is alleged to have assaulted by means of stick to the persons present there whereas, Ramdas is specifically attributed the role of assaulting his father Bapurao on his left thigh above knee. It is reported that Satish has assaulted the informant on his left thigh and left hand. This resulted in invocation of offences punishable under Sections 307, 323, 324, 504, 506, 143, 147, 148, 149, 188, 269, 270 of the IPC along with the relevant provisions of the Maharashtra Covid-19 Regulations, 2020.

3. The injury certificates produced by learned A.P.P. reflect that the injuries sustained by all the injured are classified as simple injuries. The Complainant sustained one lacerated wound below left nostril just above upper lip and, on the said injury, the opinion is reserved. The other injuries noted in the injury certificates are classified as simple injuries.

4. In the wake of the injury certificates and on consideration of another important aspect being a cross complaint being filed by Ankush resulting into the registration of FIR with the same police station, invoking Sections 307, 323, 324, 504, 506, 143, 147, 148, 149, 269, 270 of the IPC in respect of the same incident, wherein Ankush and Baburao sustained injuries and the said injuries are also classified as simple injuries, the Applicants are, therefore, entitled for bail, in the event of their arrest. Hence, the following order:

: ORDER :

- (a) In the event of arrest, the Applicants – (1) Omkar Dattatray Sodmise, (2) Ramdas Rangoba Sodmise (3) Satish Navnath Karche and (4) Gorakh Bapurao Holkar, shall be released on bail in C.R. No.198 of 2021 registered with Phaltan Police Station, District Satara, on executing P.R. bond to the extent of Rs.20,000/- each and furnishing one or two sureties of the like amount.
- (b) The Applicants shall not directly or indirectly make any inducement, threat or promise to any person acquainted with facts of case and shall not tamper with prosecution evidence.

(c) The Applicants shall report to the Phaltan Police Station, Dist. Satara, on every Thursday between 10.00 a.m. and 1.00 p.m. for four weeks and, thereafter, as and when called by the Investigating Officer.

5. The Application is allowed in the aforestated terms.

6. All parties are directed to act on the downloaded copy of the order supplied by the Advocate under his seal and signature.

[SMT. BHARATI DANGRE, J.]