

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

**CRIMINAL BAIL APPLICATION NO. 65 OF 2021**

1. Tukaram Maruti Patil  
2. Asha Tukaram Patil .... Applicants

Versus  
The State of Maharashtra .... Respondent

Ms. Saili Dhuru i/b Kuldeep S. Patil, for the applicants.  
Mr. Ajay Patil, APP for the State/Respondent.

**CORAM : SARANG V. KOTWAL, J.**  
**DATE : 8<sup>th</sup> APRIL, 2021**

**P.C. :**

1. The applicants are seeking their release on bail in connection with C.R.No. 58 of 2020 registered at Mangaon Police Station, Raigad, on 18/3/2020, under sections 364-A, 394, 385, 504, read with Section 34 of the Indian Penal Code. The applicants were arrested on 20/3/2020, and since then they are in custody. The investigation is over and the charge-sheet is filed.

2. Heard Ms. Saili Dhuru, learned counsel for the applicant and Mr. Ajay Patil, learned APP for the State.

3. The prosecution case has unfolded through the FIR lodged by one Suraj Chandanshive on 18/3/2020. He has stated that, on 17/3/2020, in the night, the informant and his friend Mohd. Rafatulla Khan had decided to go to Panvel for some work. At about 11.30 p.m., when they had reached Mangaon Ekta Petrol pump, they saw that one Eco car was standing on the road. The informant stopped his car behind that Eco car. However, the vehicle coming from behind banged into the informant's car. Because of that the informant's car collided slightly with the Eco car which was standing in front. The passengers in that car got down. They were angry. They started abusing and threatening the informant. They started assaulting the informant with iron rod. They were demanding Rs. 10,000/- as damages. He was forcibly kept in their car. His friend was kept in the informant's car and both of them were forcibly taken to the house of those two persons at Indapur. The present applicants are parents of those two persons who had assaulted the informant and who had brought him to their house.

There are allegations that the applicants also beat the informant and his friend and demanded Rs. 10,000/-. The informant tried to arrange for money by approaching one Baba Bhangarwala. He paid Rs. 5000/-. The accused decided to release the informant's vehicle in the morning. They left the informant and his friend at Indapur Chowk and took away their vehicle. The informant stopped a police car. Told the police about the incident. The police went to the house of the accused. At that time, both applicants came out. Their sons assaulted the police officers causing fracture of leg of one of the police officers. On this basis the FIR is lodged.

4. Learned Counsel for the applicants submitted that for causing injuries to the Police Officer, a separate FIR is lodged vide C.R.No. 57/2020 at the same Police and in that offence both applicants are granted bail by this Court. She submitted that the present offence is part of the same transaction and therefore the applicants cannot be arrested in this FIR separately. She submitted that

minor role is attributed to the present applicants and therefore, bail should be granted to them.

5. Learned APP opposed this application. He submitted that after the informant and his friends were taken to the applicants' house, applicants demanded money. Therefore, they are also ascribed a specific role and therefore bail should not be granted to them.

6. I have considered these submissions. With the assistance of both learned Counsel, I have perused the entire charge-sheet. The charge-sheet contains injury certificate of the informant. He has suffered three minor contusions. They are described as simple injuries. The other injured in this case Sagar and Uddhav are police officers. But for their injuries a separate FIR is lodged as mentioned earlier and in that context the applicants are already granted bail. There is an eye witness i.e. the informant's friend Mohd. Rafatulla Khan who has corroborated the informant's case. Taking both these

statements of the informant and his friend together, it can be said that the applicants role is much lesser and they have not caused any serious injury to anybody. The allegations are specifically directed against their sons. In this view of the matter, considering the order granting bail to them in C. R. No. 57 of 2020, in this offence also the applicants can be granted bail.

7. Hence the following order.

**ORDER**

- (i) In connection with C.R. No. 58 of 2020 registered with Mangaon Police Station, Raigad, the Applicants are directed to be released on bail on their furnishing PR bond in the sum of Rs.30,000/- (Rupees Thirty Thousand Only) each with one or two sureties each in the like amount.
- (ii) The application stands disposed of accordingly.

**(SARANG V. KOTWAL, J.)**