

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

ANTICIPATORY BAIL APPLICATION NO. 471 OF 2021

1. Anand Jetappa Jamadar.
2. Vijay Jetappa Jamadar.
3. Jetappa Shankar Jamadar. Applicants

Versus

The State of Maharashtra Respondent

Mr. Priyal G. Sarda for Applicants.
Mr. S. H. Yadav, APP for State/Respondent.

CORAM : SARANG V. KOTWAL, J.
DATE : 18th FEBRUARY, 2021

P.C. :

1. Applicants are seeking anticipatory bail in connection with C.R.No.322 of 2020 registered with Valsang Police Station, Solapur, under sections 307, 354, 327, 452, 143, 147, 148, 427, 323, 504 and 506 r/w. 149 of the Indian Penal Code (for short 'IPC').

2. Heard Shri. Priyal Sarda, learned counsel for the applicants and Shri. Yadav, learned APP for the State.

3. The informant had lodged her First Information Report (for short 'F.I.R.') on 24/09/2020. She has stated that she was residing with her husband and three children. The applicants had a dispute regarding a piece of land. The informant has alleged that, on 24/09/2020 all the applicants and two other accused entered their house. The informant's husband was not in the house. All the accused caused damage to window panes and to the dining table. When the informant tried to stop them, one of the accused Umesh pushed her and outraged her modesty. He removed her gold ornament. The informant's relatives Sunita and Nitin came there to help her. They were also assaulted. On this basis the F.I.R. was lodged.

4. Shri. Sarda submitted that, accused Umesh and Mallinath were admitted in the hospital. Umesh was admitted for many days. Both of them had suffered serious injuries. This shows that the allegations in the F.I.R. are not true. Shri. Sarda relied on the order passed by this court on 12/02/2021 in Criminal Bail Application No.583 of 2021 of Mallinath Jamadar and in Anticipatory Bail Application No.333 of 2021 of Umesh Jamadar. Both of them

were granted relief by that order.

5. Learned APP relied on the investigation carried out so far. The medical certificates show that the first informant had suffered two injuries in the nature of abrasions and one blunt trauma. Sunita had suffered one abrasion and Nitin had suffered two small CLWs. All these injuries were simple injuries. Learned APP could not controvert that Umesh and Mallinath had suffered serious injuries and that co-accused Umesh was in hospital for 12 days.

6. I have considered these submissions. Other main accused Umesh and Mallinath are already granted relief in their respective applications. The applicants' role is lesser than that attributed to Umesh. Therefore, on the ground of parity, applicants also deserve same protection.

7. Hence, the following order :

ORDER

- (i) In the event of their arrest in connection with C.R.No.322 of 2020 registered with Valsang Police Station, Solapur, the applicants are directed to be released on bail on their

furnishing PR bonds in the sum of Rs.30,000/- each (Rupees Thirty Thousand each Only) with one or two sureties each in the like amount.

- (ii) Application stands disposed of accordingly.

(SARANG V. KOTWAL, J.)