

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

ANTICIPATORY BAIL APPLICATION NO. 1074 OF 2021

Jitendra Pandurang Bhagat Applicant

Versus
The State of Maharashtra Respondent

Mr. Bharat Bhatia h/f K.S. Labana, for the applicant.
Mr. H.J. Dedhia, APP for the State/Respondent.

CORAM: SARANG V. KOTWAL, J.
DATE : 7th JULY, 2021

P.C. :

1. The Applicant is seeking anticipatory bail in connection with C.R.No. 2 of 2021 registered at Bhivandi Taluka Police Station, Thane, under sections 324, 323, 452, 504, 506, 427, 141, 143, 144, 147, 148 of the Indian Penal Code and under Sections 4 and 25 of the Indian Arms Act.

2. Heard Mr. Bharat Bhatia, learned counsel for the applicant and Mr. H.J. Dedhia, learned APP for the

State.

3. The FIR is lodged by one Somnath Jadhav . He has stated that he was residing at village Kavad, Taluka Bhivandi, District-Thane. He had some dispute about empty space infront of his house with Vilas Thakare and Bhagwan Thakare. There used to be frequent quarrels between the two groups. On 04/01/2021, again there was a quarrel between the informant and Bhagwan Thakare. At that time, the other accused including the present applicant entered the house of the informant. They started beating the informant and his family members. One of the accused Vilas was having a sword. It is alleged that accused Amol Bhagat,Mayur Thakare, Mahendra Bhagat assaulted the informant with wooden stick on his left hand, head and back. The informant's brother Vinod was assaulted on his right hand, back, nose and right leg. Sachin was assaulted on his right hand, back and face. In the incident, the informant's wife had lost her mangalsutra. On this basis the FIR is lodged.

4. Learned Counsel for the applicant submitted that it is a petty incident. The applicant is not attributed any role at all. He is not attributed any weapon also.

5. Learned APP produced injury certificate of the first informant before me.

6. I have considered these submissions. I have perused the injury certificate of the informant produced by the learned APP. The injury suffered by the informant was blunt trauma on chest, head and left hand. It is described as simple injury. In any case, the applicant is neither attributed any weapon nor is he attributed any assault on the informant or his family members. In this view of the matter, the applicant's custodial interrogation is not justified. He can be protected by an order of anticipatory bail.

7. Hence, the following order :

ORDER

(i) In the event of his arrest in connection

with C.R. No. 2 of 2021 registered with Bhivandi Taluka Police Station, Thane, the Applicant is directed to be released on bail on his furnishing PR bond in the sum of Rs.30,000/- (Rupees Thirty Thousand Only) with one or two sureties in the like amount.

- (ii) The Application stands disposed of accordingly.

(SARANG V. KOTWAL, J.)