

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

BAIL APPLICATION NO.1777 OF 2021

Amit Balu Bhoir

Applicant

versus

1. The State of Maharashtra
2. Yogesh Bhalchandra Bhoir

Respondents

Mr.R.D.Suryawanshi i/by Mr.C.K.Pendse, Advocate for applicant.
Mr.S.R.Agarkar, APP, for State.

CORAM : PRAKASH D. NAIK, J.

DATE : 17th September 2021

PC :

1. The applicant is arrested on 4th February 2021 in connection with CR No.I-30 of 2021 registered with Kulgaon Police Station for the offences under Sections 307, 341, 324, 323, 506, 143, 147, 148, 149 of Indian Penal Code and under Sections 37(2) and 135 of Maharashtra Police ct.

2. The complaint in CR No.I-30 of 2021 was lodged by Yogesh Bhoir on 4th February 2021. The allegations in CR No.I-30 of 2021 are that on 3rd February 2021 Rohidas Bhoir and Mayur Hegde were carrying out work of lying pipeline and digging work was going on. When the complainant along with Hemant Bhoir, Shridhar Bhoir, Samadhan Bhopi and Amol Bhoir came to the spot of digging work from their vehicles. The accused stopped them. Hemant Bhoir and Shridhar Bhopi told the co-accused Rohidas Bhoir that he cannot do the work of pipeline. Pappu Bhoir assaulted Hemant Bhoir with

sword on his head. Pramod Bhoir assaulted Shridhar Bhoir with sickle on his head. Jaydas Bhoir, Arihant and Amit Bhoir and others assaulted Amol Bhoir with weapons like sickle and iron rod and they further assaulted the first informant with fist and kick blows. The complainant Sagar Bhoir at the spot and injured were shifted to Bhagwati Hospital, Badlapur.

3. Cross case is registered vide CR No.I-31 of 2021 with the same police station. The allegations in the said FIR are that Rohidas Bhoir and Mayur Hegade were awarded the contract of laying pipeline. On 3rd February 2021 at about 5.30 pm, the first informant along with his brother Amit Bhoir, Sunil Bhoir, Ravindra Bhoir and Rohidas Bhoir were carrying out the work of laying the pipeline. Hemant Bhoir, Shridhar Bhoir, Amol Bhoir, Samadhan Bhoir, Haresh Bhoir, Ashok, Pramod Bhoir and Yogesh Bhoir came to the spot. Rohidas Bhoir was assaulted with sword. Jaydas tried to intervene. Hemant, Shridhar, Haresh, Amol assaulted Jaydas Bhoir. Damage was caused to the car. Sagar Bhoir and Jayesh Bhoir pelted stones on the vehicle. Jaydas was unconscious. Pappu Bhoir came there and Rohidas Bhoir, Pappu Bhoir, Arihant were shifted to hospital.

4. Learned counsel for applicant submitted that both the parties have compromised the dispute. Learned counsel representing complainant Yogesh Bhoir has supported the contention of the applicant that both the sides have arrived at settlement. He has supported the reliefs sought in this application.

5. The accused Rohidas, Raj, Santosh and Harischandra had preferred applications for Anticipatory Bail and regular Bail in CR

No.I-30 of 2021 on the ground that parties have compromised. Both the applications were allowed by order dated 1st April 2021. The accused Ashok Bhoir and others preferred application for anticipatory bail bearing No.1110 of 2021 in CR No.I-31 of 2021, which has been allowed on the ground of settlement by order dated 26th April 2021.

6. The applicant is in custody from the date of arrest. The parties have executed compromised and supported each other. Considering the aforesaid aspects, bail can be granted to the applicant. Hence, I pass following order :

ORDER

- (i) Bail Application is allowed and disposed of;
- (ii) The applicant is directed to be released on bail in CR No.I-30 of 2021 registered with Kulgaon Police Station, on his executing PR bond in the sum of Rs.25,000/- with one or more sureties in the like amount;
- (iii) The applicant is permitted to furnish provisional cash bail in the sum of Rs.25,000/- for a period of eight weeks in lieu of sureties.

(PRAKASH D. NAIK, J.)

MST