

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

ANTICIPATORY BAIL APPLICATION NO.1544 OF 2021

Amol Shankar Pandagale & Anr. Applicants

versus

State of Maharashtra Respondent

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- Smt.Latika Belindage-Chitre, Advocate for Applicants.
- Smt.M.R. Tidke, APP for the State/Respondent.

CORAM : SARANG V. KOTWAL, J.
DATE : 08th JULY, 2021
(Through video conferencing)

P.C. :

1. The Applicants are seeking anticipatory bail in connection with C.R.No.179/2021 registered with Khadakpada Police Station, Thane, under sections 143, 147, 324, 323, 148, 504, 427 of the Indian Penal Code, under sections 4 and 25 of the Arms Act and under sections 37(1) and 135 of the Maharashtra Police Act.

2. The FIR is lodged by one Rahul Subhash Amle. He has

given history of quarrels and fights between him and Rohan Jogdand. The present case is in respect of the incident dated 07/06/2021, which had taken place at about 06.00 p.m. When this particular incident happened, Rohan was accompanied by the present Applicants and other persons. Quarrel started between Rohan and the first informant. The first informant was assaulted. His friends Prasad and Prafull intervened in the quarrel. It is alleged that the Applicants started beating the informant and his friend. Applicant Amol is described as 'Sameer' in the FIR. However, in the subsequent police report it is mentioned that Amol is the same persons as Sameer. In the incident Rohan removed a knife and gave a blow on right side chest of the informant. His friend Prasad was also given a blow with knife on his head by accused Sonu. After that, the accused went away from the spot and this FIR is lodged.

3. Heard Smt.Latika Belindage-Chitre, learned counsel for the Applicant and Smt.M.R. Tidke, learned APP for the State.

4. Learned counsel for the Applicants submitted that no specific role is attributed to either of these Applicants. The main allegations are directed against accused Rohan and Sonu.
5. Learned APP opposed this application. She relied on the injury certificate of two injured persons.
6. I have considered these submissions. As rightly submitted by learned counsel for the Applicants, there is no specific role attributed to either of these Applicants. The role attributed to them, is very minor. I have perused the injury certificate. The informant Rahul has suffered one simply injury of dimension 5 x 2 x 1 cms on right side of chest. It was described as a simply injury. The other victim Prasad also suffered one CLW on his occipital region of 5 x 1 x 2 cms and injury in the nature of abrasion of 2 x 1 cms. Both these injuries are also simple injuries. In this view of the matter, there does not appear to be any serious injury caused to other victims. None of the Applicants is given any serious role in the incident. The quarrel was between Rohan and the informant. In this view of

the matter, custodial interrogation is not necessary. However, considering the enmity between two groups, some restrictions are imposed on the Applicants.

7. Hence, the following order :

ORDER

- (i) In the event of their arrest in connection with C.R.No.179/2021 registered with Khadakpada Police Station, 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 Applicants shall attend the concerned Police Station once in a month for a period of one year from today.
- (iii) Application stands disposed of accordingly.

(SARANG V. KOTWAL, J.)