

**/IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO.1915 OF 2021**

Bharat Ramdas Pingale

.. Applicant

Versus

The State of Maharashtra

.. Respondent

...

Mr. Raviraj Parmane for the applicant.

Mr.A.R. Kapadnis, APP for the State.

CORAM: BHARATI DANGRE, J.

DATED : 18th AUGUST, 2021

P.C:-

1 On the basis of instructions and in furtherance of the earlier order dated 17th August 2021, the learned APP state that there is no injury sustained by the complainant and therefore, there is no injury certificate.

2 The applicant is arraigned as Accused no.5 in connection with C.R.No. 151 of 2021 and he is charge-sheeted for the offence punishable under Section 307, 341, 336, 427, 141, 143, 147, 148, 149 of the IPC read with Section 135 of the Maharashtra Police Act.

2 In the absence of any injury sustained by the complainant, the invocation of Section 307, *prima facie*, is erroneous. When the allegations which are levelled by the complainant are carefully perused, he refers to the incident when he suspected that certain vehicles were carrying animals for being slaughtered and when he attempted to stall its journey, it is alleged that he was assaulted by the assailants by means of wooden rods and iron rods and they also caused damage to the vehicle, as its windshields were smashed by the assailants.

3 The other offences invoked in the C.R are bailable and since *prima facie* no case is made out under Section 307, though the charge-sheet has been filed under the said provision of law, the applicant is entitled for protection. Hence, the following order :-

ORDER

- (a) In the event of his arrest, the Applicant – Bharat Ramdas Pingale in connection with C.R.No.151 of 2021 registered with Aalephata Police Station shall be released on bail on furnishing P.R. bond to the extent of Rs.25,000/- with one or two sureties of the like amount.
- (b) The applicant shall not directly or indirectly make any inducement, threat or promise to any person acquainted with facts of case so as to dissuade him from disclosing

the facts to Court or any Police Officer and should not tamper with evidence.

- (c) The Applicant shall mark his attendance in the concerned police station once in every month to the concerned Police Station and render all his co-operation to the Investigating Officer.

Application is disposed of in the aforesaid terms.

SMT. BHARATI DANGRE, J