

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

CRIMINAL ANTICIPATORY BAIL APPLICATION NO.1067 OF 2020

1.	Laxman Nivrutti Kadnor,	
2.	Anil Nivrutti Kadnor,	
3.	Sandip Nimba Pomnar,	
4.	Sopan Bajirao Makane,	
5.	Appa Nimba Pomnar,	
6.	Nimba Ragho Pomnar	...Applicants
	V/S.	
	The State of Maharashtra	...Respondent

Mr. F. A. Wasif, Advocate for Applicants.
Smt. J. S. Lohokare, APP for State / Respondent.

**CORAM : SARANG V. KOTWAL, J.
DATED : 12th FEBRUARY, 2021.**

P.C.

1. The Applicants are seeking Anticipatory Bail in connection with C.R. No.I-484 of 2020 dated 03rd November 2020, registered at Taluka Police Station, Malegaon, under Section 307, 324, 323, 143, 147, 148, 149, 504 and 506 of the Indian Penal Code.

2. At the outset, the learned Counsel for the Applicant submitted that the Application for Applicant No.1 - Laxman

Kadnor was not pressed and was dismissed as withdrawn vide Order dated 21st December 2020. Therefore, today I am considering the Application of the other accused i.e. Accused No.2 to 6.

3. Heard Mr. F. A. Wasif, learned Counsel for the Applicants and Mrs. J. S. Lohokare, learned APP for the State.

4. The F.I.R. is lodged by one Ganesh Pomnar in respect of the incident dated 01st November 2020, which had taken place at 09.30 p.m. It is alleged that the Applicant No.1 - Laxman Kadnor had put up a message on a social networking site, threatening the informant Ganesh Pomnar. Therefore, the informant Ganesh had called the elders from the village to settle the issue. The Applicants' group got angry. They came to the field of informant. Applicant No.1 was carrying iron rod, the Applicant Anil was having a stick. The informant was assaulted with an iron rod by Laxman on his head and ear. Applicant Anil assaulted Sanjay with sticks. Others took part in the assault. They abused and used sticks and fits blows. On this basis, the

F.I.R. is lodged.

5. The learned Counsel for the Applicant submitted that the serious role is attributed only to Applicant No.1-Laxman and the others are attributed much lesser role. No serious injuries are caused in the incident, and therefore, they were entitled for protection of Anticipatory Bail. The learned APP relied on the investigation papers to oppose this Application.

6. I have considered their submissions. The injury certificate shows that the injured Ganesh has suffered blunt trauma on abdomen of the length of 4 cm. It was described as grievous injury and it was dangerous to life. It was the only injury mentioned in the injury certificate. There was no other injured in this case. This injury is specifically attributed to Applicant No.1-Laxman. In this case, it appears that the others did not share the common object. They were not armed with weapons and Laxman suddenly gave a blow on the abdomen of the injured. It was not given on head and there does not appear to be sharing of common object in this particular case. Considering

a lesser role played by Applicant Nos.2 to 6. They can be protected by an Order of Anticipatory Bail. Their custodial interrogation is not necessary.

7. Hence the following Order:

- (i) In the event of their arrest in connection with C.R. No.I-484 of 2020, registered at Taluka Police Station, Malegaon, Applicant Nos.2 to 6 are directed to be released on bail on their furnishing PR bond in the sum of Rs.25,000/- each (Rupees Twenty Five Thousand Only) with one or two sureties each in the like amount.
- (ii) The Applicants shall attend the concerned Police Station as and when called and shall co-operate with the investigation.
- (iii) Application stands disposed of accordingly.

(SARANG V. KOTWAL, J.)