

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

ANTICIPATORY BAIL APPLICATION NO.2665 OF 2021

Mr. Sahebrao Gaikwad and Anr.	..Applicants
Versus	
The State of Maharashtra and Anr.	..Respondents

Mr. Ramchandra N. Kachave, Advocate for the Applicants.
Mr. Ajay Patil, APP for the Respondent - State.

CORAM : NITIN W. SAMBRE, J.

DATE : 17th NOVEMBER, 2021

PC.

1. Heard.
2. The applicants are seeking pre-arrest bail in Crime No. 290 of 2021 registered with Kasarvadwadi Police Station for the offence punishable under Sections 354, 324, 336, 323, 504, 506, 509, 143, 147, 149 of IPC
3. The prosecution case against the applicants is as under :-

Applicant No.2 appears to be son of applicant No.1. Both have been alleged to have assaulted the complainant with knife and wooden stick and the applicant No.1 claimed to have outraged the modesty of the complainant.
4. I have perused the investigation papers which are produced by learned APP. However, investigating papers do not

include injury certificate of the complainant.

5. It appears that at the behest of wife of the applicant No.1 Crime No.289 of 2021 is registered against the complainant/members.

6. Apart from above, the falsity of the offence can be inferred from the statement of the complainant under section 164 of the CrPC. There are no allegations about section 354 of IPC as has been mentioned in the complaint. The fact remain that there appears to be rivalry between the complainant and applicants resulting into counter complaints. It is informed that there are no criminal antecedents against the applicants

7. That being so, in my opinion, case for grant of bail is made out.

8. Applicants in the event of their arrest in Crime No. 290 of 2021 registered with Kasarvadwadi Police Station for the offence punishable under Sections 354, 324, 336, 323, 504, 506, 509, 143, 147, 149 of IPC be released on bail on executing P. R. bond of Rs.15,000/- each with one or more sureties in the like amount. Applicants shall attend Investigating Officer from 22nd November, 2021 to 26th November, 2021 between 10.00 a.m. to 12.00 noon. Applicants shall neither influence the witnesses in any manner nor tamper with the evidence.