

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR**

CRIMINAL APPLICATION (BA) NO.780 OF 2021

Gopal Maruti Andhale and another

VS.

State of Maharashtra, through Police Station Officer, Police Station, Lonar Dist. Buldhana

Office Notes, Office Memoranda of Coram, Appearances, court's orders or directions and Registrar's orders	Court's or Judge's orders
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Mr. S.V. Sirpurkar, Advocate for the applicants.

Mr. M.K. Pathan, APP for non-applicant/State.

CORAM : ROHIT B. DEO, J.

DATE : 23rd AUGUST, 2021

The applicants are seeking bail in connection with Crime 141/2021 registered with Lonar Police Station for the offences punishable under Sections 326, 324, 323, 294, 143, 144, 147, 148, 149, 504 and 506 of the Indian Penal Code.

2. The crime is registered on the basis of report dated 01.06.2021 lodged by Vilas Waman Raut.

3. With reference to the very same incident, the wife of applicant -1 Mrs. Rekha lodged report on the basis of which crime 140/2021 is registered.

4. Some incident has certainly happened. The genesis appears to be dispute between Aandhale and Raut family touching some portion of their respective

agricultural field which are situated adjacent to each other.

5. It is not in dispute that the applicants Gopal and Krushna suffered severe injuries in the incident. The applicants were allegedly attacked with axe by Ashok Dinkar Raut from the rival group.

6. In so far as the First Information Report on the basis of which the present crime is registered, the role which is attributed to the applicants is that they assaulted witnesses Vijay and Dhyaneshwar, respectively, with sticks.

7. Considering the nature of the allegations, and the fact that there appears to be a free fight between two families which does not appear to be premeditated, the applicants have made out the case for grant of bail particularly since it is not even alleged that they have serious criminal antecedents or that they would pose a flight risk.

8. The Criminal Application is allowed.

(i) The applicants be released on bail in connection with Crime No.141/2021, registered with Police Station, Lonar District Buldhana, for offences punishable under Sections 326, 324, 323, 294, 143, 144, 147, 148, 149, 504 and 506 of the Indian Penal Code on executing PR bond of Rs.16,000/- (Rupees Sixteen Thousand Only) each with one solvent surety each of the

like amount.

(ii) Till all the accused are arrested and the charge-sheet is filed, the applicants shall not enter the territorial limits of Gram Gandhari Taluka Lonare District Buldhana.

(iii) The applicants shall within 48 hours of release furnish to the Investigating Officer their phone number/s and the detailed address of their place of residence.

(vi) The applicants shall not make any attempt to contact any witness and breach of this condition shall ipso facto entail cancellation of bail if an appropriate motion is moved by the prosecution.

(v) The applicants shall not leave the country without the permission of the Jurisdictional Court.

(vi) The applicants shall attend Lonar Police Station District Buldhana on every Sunday of the week between 11.00 AM to 1.00 PM and shall obtain an appropriate acknowledgment of attendance from the Police Station in a diary specially maintained for that purpose.

9. The Criminal Application is disposed of in the aforesaid terms.

JUDGE