

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

ANTICIPATORY BAIL APPLICATION NO.343 OF 2022

RAMESH KASHINATH PATIL
VERSUS
THE STATE OF MAHARASHTRA

...
Mr. Joydeep Chatterji, Advocate for applicant.
Mrs. Vaishali Patil Jadhav, APP for the respondent – State.

...

CORAM : SMT. VIBHA KANKANWADI, J.

DATE : 06.04.2022

ORDER :-

. The applicant is apprehending his arrest in connection with Crime No.131 of 2022 registered with Dhule Taluka Police Station, Dist. Dhule for the offences punishable under Sections 307, 326, 324, 323, 504, 506, 114 read with Section 34 of Indian Penal Code and under Section 4/25 of the Indian Arms Act.

2. Heard learned Advocate Mr. Joydeep Chatterji for the applicant and learned APP Mrs. Vaishali Patil Jadhav for the respondent – State. In order to cut short, it can be said that both of them have made submissions in support of their respective contentions.

3. Perusal of the FIR would show that it has been lodged by one Sunil Raghunath Marathe on 27.02.2022 at about 22.03 hours in respect

of the incident that had taken place between 9.30 to 10.30 a.m. on the same day. It has been stated that co-accused Rohit had requested one Sanjay Bhagwan Patil, who is residing in the neighborhood of the informant that he should arrange for the talks between him and the daughter of the informant on phone. When this fact was made known to the informant, he gave understanding to Rohit. But thereafter when the informant was returning, he was assaulted by all the accused persons including the present applicant. As regards the present applicant - Ramesh Patil is concerned, though his name appears to have been taken, no role is attributed to him. The allegations about the assault are against one Samadhan Patil, who allegedly assaulted by sword to one Bhagwan Nana Marathe, Kiran Salunkhe and then accused - Ankit and Rohit had assaulted with iron rod to Rajendra Marathe. It has been mentioned that the present applicant had assaulted all of them with fists and blows and, therefore, individually it cannot attract offence under Sections 307 and 326 of Indian Penal Code. It also appears that there is cross-complaint. Under such circumstance, the applicant deserves to be released on anticipatory bail. The interim protection granted earlier by this Court to the applicant vide order dated 23.03.2022 deserves to be confirmed. Hence, the following order :-

ORDER

- I) Application stands allowed.
- II) The interim protection granted earlier by this Court vide order dated 23.03.2022 stands confirmed and made absolute. In the event of arrest of the applicant – Ramesh Kashinath Patil in connection with Crime No.131 of 2022 registered with Dhule Taluka Police Station, District-Dhule for the offence punishable under Sections 307, 326, 324, 323, 504, 506, 114 read with Section 34 of Indian Penal Code and Sections 4/25 of the Arms Act, he be released on P. R. Bond of Rs.30,000/- with two solvent sureties of Rs.15,000/- each, if not already released.
- III) The applicant shall remain present before the Investigating Officer on every Monday, Wednesday and Saturday between 10.00 a.m. to 12.00 noon till filing of charge-sheet and cooperate with the investigation.
- IV) The applicant shall not tamper with the evidence of the prosecution, in any manner.
- V) The applicant shall not indulge in any criminal activity.

[SMT. VIBHA KANKANWADI, J.]