

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL ANTICIPATORY BAIL APPLICATION NO.214 OF 2022

Rajesh @ Bapu Vasant Karnuk ... Applicant

Vs.

The State of Maharashtra ... Respondent

Mr.Nitin Sejpal for the Applicant.

Mr.R.M. Pethe, APP for the Respondent –State.

Mr.Sandipan Sonawane, API, Karjat Police Station, Raigad.

CORAM : C.V. BHADANG, J.

DATE : 27 JANUARY 2022

P.C.

. The Applicant is seeking anticipatory bail as he is apprehending his arrest in Crime No.311 of 2021 registered with Karjat Police Station, District-Raigad under Section 332, 353, 504 and 506 of Indian Penal Code.

2. I have heard the learned counsel for the Applicant and the learned Additional Public Prosecutor.

3. *Prima facie* it appears that the incident in question had happened on 6 December 2021 at about 15.20 hours in land under the jurisdiction of the forest department at Village-

Gaulewadi. The matter was reported on 6 December 2021 at 19.40 hours.

4. The record discloses that there was another incident which had happened on 15 December 2021 at about 1.15 p.m. in respect of which an offence at Crime No.E-09/2021-22 was registered.

5. Indisputably the Applicant was arrested and has been released on regular bail in the said subsequent offence.

6. The medical certificate in respect of the injuries allegedly sustained on 6 December 2021, incident shows that there are two simple injuries in the nature of an abrasion on the forehead and on the metatarsal right side. A injury certificate dated 20 December 2021 was pointed out which shows one grievous injury in the nature of a fracture on the metatarsal bone and one simple injury on the right side.

7. The learned counsel for the Applicant states that *prima facie* this injury certificate cannot be in respect of the incident dated 6 December 2021, inasmuch as with a previous injury in the nature of a fracture the informant cannot be expected to pull on without any medical treatment till 20 December 2021.

8. During the course of the arguments, it transpired that the wooden log is lying in the forest and no further recovery is required to be made.

9. Considering the overall circumstances, the following order is passed.

ORDER

(i) In the event of his arrest, in connection with investigation of Crime No.311 of 2021 of Karjat Police Station, Raigad, the applicant shall be released on bail on executing a P.R. Bond in the sum of Rs.25,000/- with one or two solvent sureties in the like amount.

(ii) The applicant shall attend the investigating officer on 7 and 8 February 2022 between 11.00 a.m. to 1.00 p.m. and as and when required by the investigating officer and shall co-operate with the investigating agency.

(iii) The applicant shall not tamper with the prosecution evidence/witnesses.

(iv) The applicant shall not indulge into any similar act.

(v) The Criminal Application is disposed of.

C.V. BHADANG, J.