

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

ANTICIPATORY BAIL APPLICATION NO. 768 OF 2022

Ramdas Baburao Bhalerao

..Applicant

v/s.

The State of Maharashtra .

..Respondents

Mr. Amit Mane i/b. Kirankumar Phakade for the Applicant.
Mrs. A.A.Takalkar, APP for the State.

**CORAM : ANUJA PRABHUDESSAI,J.
DATED : 11th APRIL, 2022.**

P.C.

1. This is an application under Section 438 of Cr.P.C. filed by the aforesaid Applicant for pre-arrest bail, apprehending his arrest in C.R.No.I-25 of 2022 registered with Khadakpada Police Station, Kalyan for offences under Section 323, 324, 506 r/w. 34 of Indian Penal Code.
2. Heard Mr. Amit Mane, learned Counsel for the Applicant and Ms. A.A.Takalkar, learned APP for the State. Perused the records and considered the submissions advanced by the learned Counsel for the respective parties .
3. The aforesaid crime was registered pursuant to the FIR lodged by Pramod Ramchandra Pande, the injured. The FIRs lodged by the Complainant as well as by the wife of the Applicant prima facie indicate that on 16.01.2022, there was a fight between the Applicant and the Complainant and their respective family members. Both the parties

have sustained injuries in the said incident and they have lodged FIRs against each other.

4. Learned Counsel for the Applicant states that both the parties have agreed to resolve the dispute amicably. Learned APP states that the statement of doctor has been recorded. He has opined that the fracture of D8 and D12 was due to fall.

5. Considering the above facts and circumstances, and also considering the nature of accusation, in my considered view, this would be a fit case to grant pre-arrest bail. Hence the Application is allowed on the following terms and conditions:-

- (i) In the event of arrest of the Applicant in C.R. No. I-25 of 2022 registered with Khadakpada Police Station, Kalyan, the Applicant shall be released on bail, on furnishing bail bond of Rs.25,000/- (Rupees Twentyfive Thousand Only) with one or two solvent sureties in the like amount, to the satisfaction of the Investigation Officer.
- (ii) The Applicant shall report to the Investigating Officer and as and when required by the Investigating Officer for the purpose of investigation and interrogation.
- (iii) The Applicant shall provide his permanent as well as temporary address, if any, and his contact details to the Investigating Officer.
- (iv) The Applicant shall not change his residential address without prior intimation to the Investigation Officer.
- (v) The Applicant shall not interfere with the complainant and the

other witnesses, and/or tamper with the evidence in any manner.

- Application stands disposed of.

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(ANUJA PRABHUDESSAI, J.)