

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO.1680 OF 2022

1. Sonidas Shantaram Patil	]	
2. Pandit Shantaram Patil	]	
3. Sharad Shantaram Patil	]	
4. Manish Pandit Patil	]	
5. Alkesh Sharad Patil	]	
6. Tinu @ Vasudev Pandit Patil and	]	
7. Marshal Pandit Patil	]	
		... Applicants

Vs.

The State of Maharashtra	]	... Respondent
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Mr. S.R. Phanse i/b Mr. Nilesh Navale for the applicants.

Ms. Veera Shinde, A.P.P. for the State.

Mr. Kiran V. Bagate, PSI attached to Bhiwandi Polcie Station is present in the court.

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CORAM : SMT. BHARATI DANGRE, J.

DATED : 30TH JUNE, 2022.

P.C.:-

1. In furtherance of the earlier order, learned A.P.P. has placed on record, the panchanama of the C.C.T.V. footage executed on

28/05/2022.

2. The panchanama records the happenings of 24/05/2022 between 03.02:24 P.M. to 03.04:17 P.M., wherein some persons are seen assaulting each other with wooden sticks and also engaged in verbal altercation. The persons are identified and specifically named in the panchanama.

3. The applicant faces accusations in C.R. No.277 of 2022 registered at the instance of one Shailesh G. Patil, who has alleged that Alkesh Patil and Sonidas Patil assaulted Urmila and Nitesh by means of iron rod and caused injuries. Sasikant is stated to be an injured, who sustained bleeding injury on being assaulted by iron rod. The version of the complainant *prima facie* is falsified by the C.C.T.V. footage, where the assault seems to be with the help of wooden sticks.

4. Learned counsel for the applicant has invited my attention to a cross C.R. being C.R. No.281 of 2022 registered with the very same police station in respect of the same incident lodged at the instance of Sonidas Patil, in which Sasikant Patil as well as Nitesh have been arraigned as accused along with three others. Injury certificate is also placed on record by learned A.P.P. and, barring Sasikant Patil, who sustained an injury on parieto-occipital region, all other persons have suffered swelling and laceration over some parts of their body.

5. In the wake of the above, since the incident is clearly surfaced on record through the cross C.Rs. and the applicants, who are accused of using an iron rod, *prima facie*, seem to have assaulted the injured by wooden sticks and since they themselves have suffered injuries, the applicants are entitled to interim protection, in the event of their arrest. Hence, the following order:

ORDER

- (a) In the event of arrest, the applicants – **(1) Sonidas Shantaram Patil (2) Pandit Shantaram Patil (3) Sharad Shantaram Patil (4) Manish Pandit Patil (5) Alkesh Sharad Patil (6) Tinu @ Vasudev Pandit Patil and (7) Marshal Pandit Patil** shall be released on bail in C.R. No.I-277 of 2022 registered with Bhiwandi Taluka Police Station, District Thane on executing P.R. bond to the extent of Rs.25,000/- each and furnishing one or two sureties of the like amount.
- (b) The applicants shall not directly or indirectly make any inducement, threat or promise to any person acquainted with facts of case and shall not tamper with prosecution evidence.

(c) The applicants shall report to the Bhiwandi Taluka Police Station, District Thane, as and when required by the Investigating Officer and co-operate with the investigation.

6. The application is allowed in the aforestated terms.

7. All parties are directed to act on the downloaded copy of the order supplied by the Advocate under his seal and signature.

[SMT. BHARATI DANGRE, J.]