

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CRIMINAL APPELLATE JURISDICTION****ANTICIPATORY BAIL APPLICATION NO.2012 OF 2022**

1. Vasant Govind Bhoir
2. Gulab Vasant Bhoir
3. Kajal Somnath Bhoir .. Applicants

Versus

The State of Maharashtra .. Respondent

Mr. Gautam Jain for the Applicants.
Shri. S.H. Yadav, APP for the State.
Shri. A.P. Surewad, PSI, Kolsewadi Police Station present.

CORAM: BHARATI DANGRE, J.

DATED : 25th JULY, 2022

P.C:-

1. The applicants face accusations in CR No.271 of 2022 registered with Kolsewadi Police Station, Kalyan which invoke Sections 323, 326, 504, 506 read with 34 of the Indian Penal Code.

2. The subject CR came to be registered on complaint of one Vinayak Bhoir, in which he alleged that on 25.05.2022 at around 9.30 p.m. when he was having his dinner, the accused-persons started banging the door of his house. It is alleged that they abused, threatened and assaulted him.

The narration of the complaint, is that after barging entry into the house, Accused No.1 Somnath pushed him and thereafter by picking up a bamboo present in the room

caused injury to him on his knee. As far as the other two accused are concerned, it is stated that they assaulted him by fist and blows and they abused and threatened him on the ground that if he do not vacate the premises in one week, they will cause harm to his life.

3. The complainant's medical certificate from a private hospital dated 13.06.2022, is placed on record by the learned APP, where it is certified that he was admitted in the hospital on 21.05.2022 and discharged on 27.05.2022. The certificate refer to fracture of left proximal 1/3rd tibia & fibula. It further certified that it was fixed with plate & screw and bone graft done on 23.05.2022.

4. Considering the injury sustained by the applicant, which are reflected from the injury certificate placed on record and particularly in the backdrop of the fact, that the main assailant Somnath has been released on bail, I do not think the custodial interrogation of the present applicant is necessary. This is however subject to the stipulation that the applicant shall render their cooperation to the Investigating Officer by reporting to the police station. Hence, the following order.

ORDER

(a) Application is allowed.

(b) In the event of arrest in connection with C.R.No.271 OF 2022 registered with Kolsewadi Police Station, Kalyan, Applicant No.1-Vasant

Govind Bhoir, Applicant No.2-Gulab Vasant Bhoir and Applicant No.3-Kajal Somnath Bhoir shall be released on bail on furnishing P.R. bond to the extent of Rs.25,000/- each with one or two sureties of the like amount.

(c) The applicants shall report to the concerned police station on 27.07.2022 to 29.07.2022 between 2.00 p.m. to 5.00 p.m. and thereafter as and when called for.

(d) The applicants shall not directly or indirectly make any inducement, threat or promise to any person acquainted with facts of case so as to dissuade him from disclosing the facts to Court or any Police Officer and should not tamper with evidence.

(SMT. BHARATI DANGRE, J.)