

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

CRIMINAL ANTICIPATORY BAIL APPLICATION NO. 2740 OF 2022

Dada Mubarak Mulani	...Applicant
Versus	
The State Of Maharashtra	...Respondent

WITH

CRIMINAL ANTICIPATORY BAIL APPLICATION NO. 2744 OF 2022

Gulab Mubarak Mulani	...Applicant
Versus	
The State Of Maharashtra	...Respondent

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Ms. Rekha Musale a/w Mr. Nitin Rajguru, Advocate for the Applicant.
Mr. M. G. Patil, APP for the Respondent – State in ABA No.2740 of 2022.

Mr. N. B. Patil, APP for the Respondent – State ABA No.2744 of 2022.

CORAM	:	PRAKASH D. NAIK, J.
DATE	:	4th October, 2022.

PER COURT:

1. The applicants in both these applications are apprehending arrest in connection with C.R. No.494 of 2022 registered with Indapur Police Station, for offences under Sections 143, 147, 149, 307, 323, 324, 325, 504 and 506 of Indian Penal Code. It is alleged that, the applicants were involved in assaulting the complainant. There is dispute between the parties on account of agricultural land. The applicant Dada Mulani had allegedly assaulted the first informant with iron rod by giving blow on his head and other parts of body, which resulted into fracture to his hand. The applicant Gulab Mulani had allegedly assaulted by Satur. The

FIR was registered on 30th June, 2022.

3. At the instance of applicant Dada Mulani, FIR was registered with Indapur Police Station, first in point of time on 21st June, 2022 vide C.R. No.473 of 2022 for offences under Sections 323, 324, 504, 506, 143, 147, 148 and 149 of Indian Penal Code and Sections 4 and 25 of the Arms Act. It was alleged that, Gulab Palpale, Sudarshan Palpale, Sangita Palpale, Varsha Palpale, Taher Shaikh, Irshad Shaikh and Shama Shaikh, were involved in assaulting the applicants herein. It is pertinent to note that, the incident had occurred on 21st June, 2022 and the FIR against the applicants registered on 31st June, 2022.

4. Learned Advocate for the applicants submitted that, the applicant Dada Mulani had suffered serious injuries, which resulted into 22 stitches.

5. Learned APP submitted that, the applicants were armed with weapons. Role of assault has been attributed to them. The complainant had suffered injuries.

6. The medical case paper of the complainant indicates that, he had suffered the grievous injury by blunt object. It is not clear on which part of body he had sustained injury. There is no reference of any other injuries. The applicants had lodged the FIR, first in point of time and immediately after the incident. The present FIR was lodged

subsequently in this circumstances, the applicants need not be subjected to custodial interrogation.

ORDER

(i) Criminal Anticipatory Bail Application No. 2740 of 2022 and Criminal Anticipatory Bail Application No. 2744 of 2022 are allowed.

(ii) In the event of arrest of the applicants in connection with C. R. No.494 of 2022 and C.R. No.473 of 2022 registered with Indapur Police Station. The applicants be released on bail on executing P.R. Bond in the sum of Rs.20,000/- with one or more sureties in the like amount.

(iii) The applicant shall report Investigating Officer on 11th, 12th and 13th October, 2022, between 11:00 a.m. to 1:00 p.m. and there after as and when called. The applicants shall cooperate with the investigation and they shall not temper with the evidence.

iv. Criminal Anticipatory Bail Application No. 2740 of 2022 and Criminal Anticipatory Bail Application No. 2744 of 2022 are disposed off.

(PRAKASH D. NAIK, J.)