

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

ANTICIPATORY BAIL APPLICATION NO.3215 OF 2021

Yashwant Valku (Vaman) Bhoir Applicant
Versus
The State of Maharashtra Respondent

Mr. R.D. Suryawanshi, Advocate for the Applicant.
Smt. A.A. Takalkar, APP for the Respondent-State.

CORAM : SARANG V. KOTWAL, J.

**DATE : 11th JANUARY, 2022
[Through Video Conferencing]**

P.C. :

1. The applicant is seeking anticipatory bail in connection with C.R.No.53/2020 registered at Kasara Police Station, District-Thane on under Sections 307, 326, 324, 143, 144, 147, 148, 149, 336, 337, 323, 452, 108, 352, 427, 504, 506, 188 of the Indian Penal Code.

2. Heard Shri R.D. Suryawanshi, learned counsel for the applicant and Smt. A.A. Takalkar, learned APP for the State.

3. The FIR is lodged by one Kiran Vekhande. The informant has stated that on 6.5.2020, the informant had gone out

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for a stroll at 8.30 p.m. At that time the accused Sagar Bhoir and Naresh Bhoir stopped the informant and assaulted him with sword. He suffered serious injuries. The informants' relatives came to save the informant. The FIR mentions names of the accused, including the present applicant. Around 27 named accused came there with weapons like sword, stick etc. and all of them assaulted the informant's side with their respective weapons. As per the allegations the applicant had also taken part in the assault. The FIR is specifically lodged against 21 accused including the present applicant.

4. Learned counsel for the applicant submitted that no specific overt act is attributed to the present applicant. Some of the accused are granted anticipatory bail and others are granted regular bail. No purpose would be served by arresting the applicant in this case. The informant and his group has implicated the entire family, which shows that their version is exaggerated.

5. Learned APP opposed this application. She submitted that the informant's group was assaulted with deadly weapons; and at least, four of the injured have suffered grievous injuries.

6. I have considered these submissions. Apart from the first informant, there are statements of injured eye witnesses viz., Shantaram Vekhande, Gurunath Vekhande, Jayshree Vekhande, Budhaji Vekhande etc. Their versions are consistent. I have perused the injury certificates also. Shantaram Vekhande has suffered one grievous injury. There were two incised wounds. One of the injuries was on the head. Shantaram has suffered incised wound on left front parietal region of the dimension 15 x 8 cm. Gurunath Vekhande has suffered incised wound on the head of the dimension 8 x 3 x 1 cm. Bharat Vekhande has suffered one incised wound on occipital region of the dimension 7 x 3 x 1 cm. All these injuries are serious and result of concerted attack mounted on the informant's family. The offence is serious. At this stage, it is not possible to record a finding that the applicant is implicated falsely. No case for grant of anticipatory bail is made out. The application is rejected.

(SARANG V. KOTWAL, J.)