

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

ANT. BAIL APPLICATION NO.3032 OF 2022

Hrishikesh Sandeep Walunj
& Anr. ... Applicants
Vs
The State of Maharashtra ... Respondents
...

Mr. R.S.Kate for the Applicants.
Mr. M.G. Patil , APP for the Respondent-State.
ASI Y.R.Bansode attached to Lonawala Gramin P.Stn., Pune
present.

CORAM : SANDEEP K. SHINDE J.
DATE : 14th NOVEMBER, 2022.

P.C. :

Heard Mr. Kate, learned counsel for the applicants
and learned Assistant Public Prosecutor for the State.
Investigating officer is present. Perused the investigation record.
Supplementary statement of Akshay Rathod (Injured), recorded
on 4th October, 2022; statement of Harshad R. Marathe
(Complainant) recorded on 14th October, 2022 under Section 164

of the Code of Criminal Procedure, 1973; statements of Akshay Rathod and Ashok Rathod (Injured) recorded under Section 164 of the Cr.P.C. on 17th October, 2022 contradicts the prosecution case. These witnesses would say that Akshay Rathod had sustained fracture of right parietal bone by accidental fall. Thus, in view of the supplementary statements of the witnesses and the injured, it seems that prosecution is not interested in custodial interrogation of the applicants.

2 In that view of the matter, in the event of arrest of the applicants in Crime No.169 of 2022 registered with Lonavala Gramin Police Station, Pune, they shall be released on executing PR bond for the sum of Rs.50,000/- each with one or more sureties in like sum.

3 Although they have been granted anticipatory bail, having regard to the manner in which they allegedly ransacked the hotel of the complainant, I deem it appropriate to direct

them to attend the concerned police station on Monday of every week from 11 a.m. to 2 noon till the charge-sheet is filed. In addition thereto, they shall file an Undertaking in this Court, they shall not indulge in similar act in future. Let Undertaking be filed within a week from today with copy to the prosecution.

4 The applicant shall not tamper with the evidence or attempt to influence or contact the complainant, witnesses or any person concerned with the case

5 The application is accordingly allowed and disposed of.

6 It is made clear that observations made here-in-above be construed as expression of opinion for the purpose of bail only and the same shall not in any way influence the trial in other proceedings.

(SANDEEP K. SHINDE, J.)