

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO. 3059 OF 2022

Anil @ Omkar Baban Dude	...Applicant
V/s.	
The State of Maharashtra	...Respondent

Shailesh Kharat, for the Applicant.
Mr. P.H. Gaikwad Patil, APP, for the Respondent/State.
Mr. Sunil Ugale, P.S.I. Shirur Police Station, present.

CORAM : N.R. BORKAR, J.
DATE : 20TH DECEMBER, 2022.

PC. :

This is an application under Section 438 of the Code of Criminal Procedure, 1973 for anticipatory bail.

2. The applicant is apprehending his arrest in Crime No. 679 of 2022 registered at Shirur Police Station, for the offences punishable under Sections 307, 323, 324, 326, 504, 506 read with 34 of the Indian Penal Code.

3. I have heard the learned counsel for the applicant and the learned APP for the respondent/State.

4. The complainant and accused are relatives. There appears to be dispute between the parties on account of partition of agricultural land. According to the prosecution on account of the said dispute, on 02/10/2022 at about 03.15 p.m. the present applicant alongwith other co-accused assaulted the complainant by iron rods and stick and attempted to kill him. It is further alleged that the wife and daughter-in-law of the complainant were also assaulted.

5. I have perused the FIR. According to the complainant, the co-accused namely Baban and Vaibhav assaulted him by iron rods. According to the complainant, the present applicant assaulted to his wife and daughter-in-law by stick, when they came to his rescue at the time of alleged assault. I have perused their injury certificates. No visible injuries were found on their person. There appears to be no other criminal antecedents. Considering these facts, I am inclined to release the applicant on anticipatory bail. In the result, the following order is passed:

ORDER

- A] The Application is allowed.
- B] In the event of arrest of applicant in C.R. No. 679 of 2022 registered at Shirur Police Station, for the offences punishable under Sections 307, 323, 324, 326, 504, 506 read with 34 of the Indian Penal Code, he shall be released

on bail on executing P.R. Bond in the sum of Rs.25,000/- (Rupees Twenty Five Thousand) with one or two sureties in the like amount.

- C] The applicant shall attend the concerned Police Station from 26/12/2022 to 28/12/2022 and shall co-operate in the investigation.
- D] The applicant shall not stay at village Nimgaon Dhude, Taluka Shirur for the period of six months.

[N.R.BORKAR, J.]