

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

ANTICIPATORY BAIL APPLICATION NO. 3156 OF 2021

1. Abu @ Hitesh Ambadas Naik
2. Samir Jagan Pashte Applicants

Versus

The State of Maharashtra Respondent

**WITH
ANTICIPATORY BAIL APPLICATION NO. 3176 OF 2021**

1. Rahul Ramesh Savar
2. Swapnil Keshav Pardhi Applicants

Versus

The State of Maharashtra Respondent

Mr. Shailesh Chavan for Applicants in both ABAs.
Mr. Makarand G. Patil, APP for State/Respondent.

CORAM : SARANG V. KOTWAL, J.
DATE : 05th JANUARY, 2022
(through Video Conferencing)

P.C. :

1. Both these applications are decided by this common order as they arise out of the same crime. The Applicants are seeking anticipatory bail in connection with C.R.No. I-371 of 2021

registered at Wada Police Station, Dist. Palghar, under sections 143, 147, 148, 149, 326, 324, 323, 504 and 506 of the Indian Penal Code (for short 'IPC').

2. Heard Shri. Shailesh Chavan, learned counsel for the applicants and Shri. Makarand Patil, learned APP for the State.

3. The First Information Report (for short 'F.I.R.') is lodged by one Sanika Pashte. She has stated that, on 12/11/2021 at 7.30p.m. all these applicants and 7 to 8 others came in front of the informant's house. They got down from the car with iron rods in their hands. The applicant Swapnil started abusing the informant's husband. Other applicants Sameer and Abu @ Hitesh gave blows with iron rods on the informant's husband's head. Applicant Swapnil and other accused Sujit also gave blows with iron rods on his hand and legs. In the incident, Jitendra Pashte was also assaulted. After that they went away. The injured were removed to Wada hospital. After that the F.I.R. was lodged.

4. Learned counsel for the applicants submitted that, there was enmity between the parties and the applicants' group had lodged their F.I.R. in the month of September 2020 regarding

similar allegations. There is also a cross offence registered vide C.R.No. 372 of 2021 lodged by the applicants' side. He submitted that the applicants are falsely implicated.

5. Learned APP opposed this application. He produced injury certificate before me.

6. I have considered these submissions and the injury certificate. The injured Jitendra suffered one contusion on right shoulder joint. The injury is simple in nature. Similarly, informant's husband Santosh had suffered 1 CLW on his head and one contusion over his knee joint. Both injuries are described as simple. In this background, since the injuries are simple and there is possibility of false implication because of different F.I.Rs., the applicants' custodial interrogation is not necessary. They can be protected by an order of anticipatory bail.

7. Hence, the following order :

ORDER

- (i) In the event of their arrest in connection with C.R.No. I-371 of 2021 registered at Wada Police Station, Dist. Palghar, the applicants are directed to be released on bail on their furnishing P. R.

bonds in the sum of Rs.30,000/- each (Rupees Thirty Thousand each Only) with one or two sureties each in the like amount.

- (ii) Both applications stand disposed of accordingly.

(SARANG V. KOTWAL, J.)