

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO.3283 OF 2022

Sanket Satish Patil

...Applicant

vs.

The State of Maharashtra

...Respondent

....

Mr. Chetan S. Damre, for the Applicant.

Mr. M.G. Patil, APP, for Respondent/State.

....

CORAM : ANUJA PRABHUDESSAI, J.

DATE : 24 NOVEMBER 2022

P.C.:

This is an application under Section 438 of Cr.P.C. filed by the aforesaid Applicant apprehending his arrest in Crime No.390 of 2022 registered at Yeola Police Station, Nashik for offences punishable under Sections 323, 504, 506 read with 34 of Indian Penal Code and under Section 4/25 of Arms Act.

2. Heard Mr. Damre, learned Counsel for the Applicant.

3. It is the case of the prosecution that on 20 August 2022, at about 1.00 p.m., the Applicant and his brother assaulted the complainant Shankar Dongare by kicks and blows on his chest, stomach

and head. It is also alleged that the Applicant was armed with a sickle and he had tried to inflict a blow of the sickle on his head. The complainant had alleged that the Applicant and his brother had also abused and threatened him.

4. I have perused the records and considered the submissions advanced by the learned Counsel for the respective parties.

5. There is considerable delay in lodging the FIR. The offences under Sections 323, 504 and 506 of Indian Penal Code are bailable and applicability of Section 4/25 of Arms Act, prima facie appears to be doubtful.

6. Considering the abovesaid facts and circumstances, this is a fit case for grant of pre-arrest bail. Hence, the anticipatory bail application is allowed on the following terms and conditions:

- (a) In the event of arrest of the Applicant in C.R.No.390 of 2022 registered at Yeola Police Station, Nashik, he shall be released on bail on furnishing PR bond in the sum of Rs.20,000/- (Rupees Twenty Thousand only) with one or two sureties in the like amount ;
- (b) The Applicant shall report to the Investigating Officer for a period of two days on 28 November 2022 and 29 November 2022 between 11.00 a.m. to 2.00 p.m.;

- (c) The Applicant shall not interfere with the complainant and the other witnesses and shall not tamper with the evidence in any manner;
 - (d) The Applicant shall keep the Investigating Officer informed of his current address and mobile contact numbers, and/or change of residence or mobile details, if any, from time to time.
7. The anticipatory bail application is disposed of.

(ANUJA PRABHUDESSAI, J.)