

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO. 3295 OF 2022

1. Maruti Govind Kamble
2. Rohit Maruti Kamble ... Applicants
Versus
State of Maharashtra ... Respondent

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Mr. M.A. Patil for the Applicants.
Ms. M.M. Deshmukh, APP for the State.

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CORAM : N.R. BORKAR, J.

DATED : 25 NOVEMBER 2022

P.C. :-

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

2. The applicants are apprehending their arrest in Crime No.0238 of 2022 registered at Madha Police Station, Solapur for the offence punishable under Sections 143, 147, 148, 149, 324, 327, 435, 427, 504 and 506 of Indian Penal Code.

3. I have heard the learned Counsel for the applicants and the learned APP for the State and perused the FIR.

4. According to the prosecution, on 16th October 2022 the present applicants and other co-accused assaulted the complainant by

plastic pipe and sticks. The learned Counsel for the applicants submits that the present complainant on the very same day i.e. on 16th October 2022 entered into the house of present applicants and outraged the modesty of co-accused in the present crime Pradnya Kamble. It is submitted that the present FIR is lodged as a counterblast to the FIR lodged against the complainant by co-accused Pradnya Kamble.

5. I have perused the injury certificate of the complainant. Nature of injury is simple. Apart from it, there is a delay of 8 days in lodging the FIR. Considering the facts and circumstances, I am inclined to grant anticipatory bail to the present applicants. In the result, the following order is passed :

- (i) Application is allowed.
- (ii) In the event of arrest, the applicants – (1) Maruti Govind Kamble and (2) Rohit Maruti Kamble in Crime No.0238 of 2022 registered at Madha Police Station, Solapur for the offence punishable under Sections 143, 147, 148, 149, 324, 327, 435, 427, 504 and 506 of Indian Penal Code, they shall be released on bail on furnishing P.R. Bond in the sum of Rs.25,000/- each with one or more sureties in the like amount.
- (iii) The applicants shall attend the concerned police station on 29th and 30th November 2022 between 11.00 a.m. to 2.00 p.m. and thereafter, as and when called by the Investigating Officer and shall co-operate in the investigation.