

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO. 3451 OF 2022

1. Suman Maruti Chandgude

2. Amol Maruti Chandgude ...Applicants

V/s.

The State of Maharashtra ...Respondent

Mr. Milind Deshmukh, for the Applicants.

Ms. Veera Shinde, APP, for the Respondent/State.

Mr. Suryakant R. Kulkarni, Police Hawaldar, Vadgaon Nimbalkar Police Station, present.

CORAM : N.R. BORKAR, J.

DATE : 13th DECEMBER 2022.

PC. :

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. 255 of 2022 registered at Vadgaon-Nimbalkar Police Station for the offences punishable under Sections 307, 324, 504, 506 read with 34 of the Indian Penal Code.

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

4. According to the prosecution, on 28/06/2022, the present applicants alongwith other co-accused assaulted the complainant and his family members by stone and iron rod and attempted to kill them.

5. The learned counsel for the applicants submits that there is a cross FIR. It is submitted that the applicant No. 1 is aged about 61 years. It is submitted that there are no criminal antecedents. It is submitted that considering the facts and circumstances the applicants may be released on anticipatory bail.

6. On the other hand, learned APP for the respondent/State submits that applicants are involved in serious offence of attempt to murder. It is submitted that considering the nature of offence the applicants may not be released on anticipatory bail.

7. I have perused the injury certificates. The nature of injury sustained by Shekhar Chandgude and Dattatray Chandgude appears to be simple. As regards the injuries sustained by the complainant-Laxmibai Vitthal Chandgude, no opinion is given. According to the complainant, applicant No. 1, who is aged about 61 years, assaulted her by stone. Whereas according to the cross FIR, the complainant and her family members assaulted the applicant No. 1 by iron rod. Considering the facts and circumstances of the case and as there are no other criminal antecedents, I am inclined to release the applicants 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 Nos. 1 and 2 in C.R. No. 255 of 2022 registered at Vadgaon-Nimbalkar Police Station for the offences punishable under Sections 307, 324, 504, 506 read with 34 of the Indian Penal Code, they shall be released on bail on executing P.R. Bond in the sum of Rs.25,000/- (Rupees Twenty Five Thousand) each with one or two sureties in the like amount.

C] The applicants shall attend the concerned Police Station from 21/12/2022 to 23/12/2022 between 11.00 a.m. to 2.00 p.m. and shall co-operate in the investigation.

[N.R.BORKAR, J.]