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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO.332/2023**

SHIVAJI SOPAN TUPE & ORS.

..APPLICANTS

VS.

THE STATE OF MAHARASHTRA

..RESPONDENT

Adv. Machhindra A. Patil a/w. Adv. Vijay R. Garad for the
applicants.

Ms. P. N. Dabholkar, APP for State.

PC T. S. Mane-Deshmukh, Tembhurni Police Station.

**CORAM : M. S. KARNIK, J.
DATE : FEBRUARY 2, 2023.**

P.C. :

1. Heard learned counsel for the applicants and learned
APP.

2. This is an application for pre-arrest bail in respect of
First Information Report (FIR) No. 0134/2022 registered with
Tembhurni Police Station, under Sections 307, 326, 395,
397, 341, 504, 506, 120-B of the Indian Penal Code, 1860
(hereafter "the IPC", for short) read with Sections 4, 25 of
the Arms Act.

3. The applicants are the accused nos. 5, 6 and 7. The
FIR was registered on March 3, 2022 by the first informant.
It is alleged by the first informant that on March 2, 2022,
when he was proceeding on his motorcycle as many as

eight accused persons assaulted him. The first informant suffered the injuries mentioned in the Medicolegal Certificate dated March 5, 2022. There are fracture injuries on the leg. There are contusions on the arms, forearms and elbow. The accused are alleged to be armed with the swords and iron rods. The weapons have been recovered. The accused nos. 1 to 4 have been released on bail. The charge-sheet has been filed against them.

4. It is pointed out by learned APP on instructions of the investigating officer that nothing is to be recovered from the present applicants as the weapons are already recovered.

5. Considering that the accused nos.1 to 4 have been released on bail and there is no recovery to be made from the present applicants, having regard to the nature of the accusations, the present applicants can be released on bail. The custodial interrogation of the applicants is not required. Hence the following order.

ORDER

- (a) The application is allowed.
- (b) In the event of arrest in connection with FIR No. 0134/2022 registered with Tembhurni Police

Station, the applicants-Shivaji Sopan Tupe, Dashrath Sopan Tupe and Anil Ramchandra Kamble shall be released on bail on furnishing P.R. Bonds to the extent of Rs.25,000/- each with one or more sureties in the like amount.

(c) The applicants shall report to the concerned police station on 6th, 7th and 8th February, 2023, between 11.00 a.m. and 4.00 p.m. and thereafter, as and when called. The applicants to co-operate with the investigation.

(d) The applicants shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing the facts to Court or any Police Officer and shall not tamper with evidence.

(e) The applicants shall furnish the details of their residential addresses and phone numbers to the investigating officer.

6. The application is disposed of.

(M. S. KARNIK, J.)