

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

ANTICIPATORY BAIL APPLICATION NO. 595 OF 2023

Krupal Kashinath Koli

..Applicant

VS.

The State of Maharashtra

..Respondent

Adv. Viresh Purwant a/w Rushikesh Kale for the Applicant.

Mr. S. H. Yadav, APP for the State.

Mr. Mulla, API, Sadar Bazar Police Station, Solapur.

CORAM : M. S. KARNIK, J.

DATE : FEBRUARY 28, 2023

P.C. :

1. Heard learned counsel for the applicant and learned APP for the State.

2. This is an application for pre-arrest bail by the applicant in connection with First Information Report (FIR) No.0325 of 2022 dated 28/05/2022, registered with Sadar Bazar Police Station, Solapur, under sections 307, 323, 324, 143, 145, 148, 149 and 504 of the Indian Penal Code, 1860, sections 4 and 25 of the Indian Arms Act and section 135 of the Maharashtra Police Act.

3. The FIR was lodged by injured informant Tariq @ Parwez Tajuddin Shaikh on 28/05/2022. The allegation is

that there was some dispute over a motorcycle which was taken possession of, due to default in payment of a loan. The complainant was working with the finance company. The complainant was called by the main accused on 27/05/2022 for settling the dispute. The complainant was assaulted by the accused with swords, koyta, wooden log, fists, kick blows etc. In the FIR specific role has been attributed to the accused named therein. The complainant was taken to the civil hospital. He took discharge against medical advice. He preferred treatment in a private hospital. The injury certificate revealed that there is a fracture on the left hand. There is a head injury. Injuries sustained are caused by sharp objects like knife, sword, koyta etc. and hard blunt objects like pipe, rod, bamboo. Injury nos. 6 and 7 were stated to be grievous injuries.

4. So far as the applicant is concerned, his name figured for the first time in the supplementary statement dated 12/06/2022 of the injured informant. In the said statement, it is alleged that the applicant was driving an Innova vehicle and assaulted the complainant with a baseball bat on his head and back.

5. There is a delay In recording the supplementary statement. The applicant was not named in the FIR though specific role is attributed to the co-accused. The custodial interrogation of the applicant is not required. The applicant, therefore, can be granted pre-arrest bail.

ORDER

(a) In the event of arrest in connection with FIR No.0325 of 2022, registered with Sadar Bazar Police Station, Solapur, the applicant- Krupal Kashinath Koli, shall be released on bail on furnishing P.R. Bond to the extent of Rs.25,000/- with one or more sureties in the like amount;

(b) The applicant shall report to the concerned police station on 04/03/2023, 05/03/2023 and 06/03/2023 between 11.00 a.m. and 02.00 p.m. and thereafter as and when called;

(c) The applicant shall report to the concerned police station, in any case, once a month i.e. on the first Monday between 11.00 a.m. and 02.00 p.m., commencing April-2023;

(d) The applicant shall co-operate with the Investigating Officer;

(e) The applicant 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;

6. The application is disposed of.

(M. S. KARNIK, J.)