

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

ANTICIPATORY BAIL APPLICATION NO.702 OF 2023

Vaijinath Vasant Bhosale

...Applicant

Versus

The State of Maharashtra

...Respondent

...

Mr. Ashish S. Sawant for the Applicant.

Mr. Shrikant Yadav, APP for Respondent -State.

Mr. G.G. Nale, HC, Vairag Police Station, Solapur, present.

CORAM: SMT. ANUJA PRABHUDESSAI, J.

DATED : 9th MARCH, 2023.

P. C. :-

1. This is an application under Section 438 of Cr.P.C. filed by the Applicant apprehending his arrest in Crime No.200 of 2020 registered with Vairag Police Station, Solapur Rural, for the offences punishable under Sections 143, 147, 148, 307, 324, 504 and 506 read with 149 of the IPC.

2. Heard Mr Sawant, learned counsel for the Applicant and Mr. Yadav, learned APP for Respondent -State. I have perused the records and considered the submissions advanced by the learned counsel for the respective parties.

3. The aforesaid crime was registered pursuant to the FIR lodged by Jayant Arun Ghodke. A perusal of the FIR reveals that on 27/05/2020 at about 7.30 p.m. co-accused Amol Ghodke had abused and threatened the Complainant and thereafter inflicted a blow of knife on the back of his head. It is stated that thereafter Applicant and other relatives of the co-accused Amol came to the place of the incident armed with sticks and rods and assaulted him and his family members, who had also gathered at the place of the incident.

4. The records reveal that the Complainant has sustained injury, which is simple in nature. Moreover, the injury was not inflicted by the Applicant herein. The records also indicate that Atul Ghodke has also filed a cross complaint against the Complainant and others. It appears that there was altercation and scuffle between both the groups. The Applicant herein was not involved in inflicting any serious injury on the Complainant or the other witnesses. The nature of accusations does not justify custodial interrogation.

5. Under the circumstances, this is a fit case for grant of pre-arrest bail. Hence, the application is allowed on the following terms and conditions:-

- (i) In the event of arrest of the Applicant in Crime No.200 of 2020 registered with Vairag Police Station, Solapur Rural, the Applicant shall be released on bail on furnishing PR bonds in the sum of Rs. 25,000/- with one or two sureties to the like amount;
- (ii) The Applicant shall report to the concerned Investigating Officer for a period of four days from 13/03/2023 between 11.00 a.m. to 2.00 p.m. and further as and when required by the Investigating Officer;
- (iii) 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.

6. The application stands disposed of.

(SMT. ANUJA PRABHUDESSAI, J.)