

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO. 1842 OF 2022

1. Jitendra M. Ankalagi
 2. Jagdev B. Biradar
 3. Dharesh Anandrao @ Anandray Biradar
 4. Nikhil A. Biradar
 5. Anandray D. Birajdar
 6. Vinod D. Katte @ Ravi
 7. Vikas D. Katte @ Ravi
 8. Siddhappa N. Aarani
 9. Revansiddha M. Aarani
 10. Prakash M. Aarani
 11. Mahesh M. Aarani
 12. Shivanand A. Biradar
 13. Raygonda M. Biradar
 14. Shivgonda M. Biradar
 15. Prakash G. Malabadi
 16. Pradip N. Dhumgond
 17. Layappa B. Biradar
 18. Jinesaab(Papanna) R. Maneri
 19. Dhulappa C. Aarani
 20. Sadik S. Jamadar
- ...Applicants

V/s.

1. State of Maharashtra
 2. Virkam V. Ghode
- ...Respondents.

WITH

INTERIM APPLICATION NO. 4461 OF 2022

Mr. Kuldeep Patil i/b Ms Saili N Dhuru for the Applicants.

Mr. A.A. Palkar, APP for the Respondent/State.

Mr. Sudatta Patil i/b Mr. Vikram Parmar for the Applicant/Intervener.

CORAM : N.R. BORKAR, J.
DATE : 09.01.2023.

P.C. :

1. This is an application under Section 438 of Code of Criminal Procedure for anticipatory bail.
2. The applicants are apprehending their arrest in Crime No.152 of 2022 registered at Umadi Police Station, Sangli for the offences punishable under Sections 353, 332, 333, 143, 147, 148, 149 and 504 of the Indian Penal Code.
3. I have heard the learned counsel appearing for the applicants, the learned APP for the respondent / State and the learned counsel for the intervener.
4. The learned counsel for the applicants submits that the applicants are farmers and no specific *overt-act* is attributed to them in the alleged incident. It is submitted that the applicants without prejudice to their rights will deposit Rs.3000/- each with concerned police welfare fund and shall not seek refund of the said amount even if they are acquitted. It is submitted that considering the facts and circumstances, the applicants may be released on anticipatory bail.
5. On the other hand, the learned APP for the respondent/ State and the learned counsel for the intervener submit that the applicants are involved in the serious crime of rioting and assaulting public servants. It is submitted that considering the nature of offence the applicants may not be released on anticipatory bail.

6. It appears that on the date of incident, which took place on 26 May 2022 at about 7:45 p.m. during election conference, dispute arose between two rival political groups and they started pelting stones at each other. It appears that one of the co-accused was arrested and no police custody was sought.

7. 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 Anticipatory Bail Application is allowed.

B) In the event of arrest of the applicants in C.R. No. 152 of 2022 registered at Umadi Police Station, Sangli for the offences punishable under Sections 353, 332, 333, 143, 147, 148, 149 and 504 of the Indian Penal Code, they shall be released on bail on executing P.R. Bond in the sum of Rs.25,000/- each with one or two sureties in the like amount subject to deposit of Rs.3000/- each by them with Police Welfare Fund within two months from today and they shall submit the receipt to the Investigating Officer.

8. In view of disposal of anticipatory bail application, the Interim Application for intervention does not survive and the same stands disposed of.

[N.R.BORKAR, J.]