

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

ANTICIPATORY BAIL APPLICATION NO.289 OF 2023

PRADNYA
MAKARAND
BHOGALE

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PRADNYA
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1. Prabhakar Bango Jadhav
2. Prabhavati Prabhakar Jadhav
3. Kunal Prabhakar Jadhav ..Applicants
VS.
The State of Maharashtra ..Respondent

Adv. Ashish Satpute i/b. Adv. Amit Icham for the applicants.
Mr. S. V. Gavand, APP for the State.

CORAM : M. S. KARNIK, J.

DATE : JANUARY 30, 2023

P.C. :

1. Heard learned counsel for the applicants and learned APP for the State.
2. This is an application for pre-arrest bail in respect of the offence punishable under Sections 326, 323, 427, 504 and 506 of the Indian Penal Code, 1860 in connection with C.R. No.0491 of 2022 dated 30/12/2022 registered with Padgha Police Station, Thane.
3. The incident is dated 20/12/2022. The complainant was returning home at around 7.30 p.m. It is alleged that

the applicants started abusing the complainant. On being questioned by the complainant as to why the applicants are abusing him, the applicants got annoyed. The applicant No.1-Prabhakar Bango Jadhav assaulted the complainant with a wooden log. The complainant suffered fracture injury on his right hand. The allegation against the applicant Nos.2 and 3 is that they assaulted the complainant with fist and kick blows.

4. I have gone through the medical certificate which indicates that the complainant suffered grievous injuries. The wooden log is to be recovered. Considering the nature of the accusations, I am not inclined to grant pre-arrest bail to the applicant No.1. However, considering the role of the applicant Nos.2 and 3, they can be granted pre-arrest bail. The application of applicant No.1 is rejected.

5. Hence, the following order :-

ORDER

(a) The application of the applicant No.1 stands rejected. Application is allowed so far as applicant No.2-Prabhavati Prabhakar Jadhav and applicant No.3-Kunal Prabhakar Jadhav is concerned.

(b) In the event of arrest of the No.2-Prabhavati Prabhakar Jadhav and applicant No.3-Kunal Prabhakar Jadhav in connection with C.R. No.0491 of 2022 registered with Padgha Police Station, Thane, they shall be released on bail on their furnishing P.R. bond in the sum of Rs.15,000/- each with one or more sureties in the like amount.

(c) The applicant Nos.2 and 3 shall report to the concerned police station on 06/02/2023 and 07/02/2023 between 11.00 a.m. and 1.00 p.m.

(d) The applicant Nos.2 and 3 to co-operate with the Investigating Officer.

(e) The applicant Nos.2 and 3 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.

(f) The applicant Nos.2 and 3 shall furnish the details of their residential addresses and phone numbers to the investigating officer.

6. The Anticipatory Bail Application stands disposed of.

7. A request of the learned counsel for the applicant No.1 for interim protection is rejected.

(M. S. KARNIK, J.)