

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO. 655 OF 2020

Tukaram Ramdas Thavle ... Applicant

Versus

The State of Maharashtra ... Respondent

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Mr. Rahul Motkari for the Applicant.
Ms. Veera Shinde, APP for the State.
PSI A.R. Dhumse, Ghoti Police Station, present.

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CORAM : N.R. BORKAR, J.

DATED : 12 JANUARY 2023

P.C. :-

1. This is an application filed under Section 438 of the Code of Criminal Procedure, 1973 for anticipatory bail.

2. The applicant is apprehending his arrest in Crime No. 16 of 2020 registered at Ghoti Police Station, for the offence punishable under Sections 307, 323, 504, 506 r/w. 34 of Indian Penal Code.

3. On 17 March 2020, this Court passed the following order :

“1. Heard.

2. In the scuffle between the family members in the dispute that arose over a land, cross-complaints were lodged. Applicant, is accused in Crime No.16/2020 registered with Ghoti Police Station for the offences punishable under Sections 307, 323, 504, 506 read with Section 34 of the Indian Penal Code.

3. *The role attributed to the applicant is that, he had inflicted fist and kick blows to the complainant. Applicant's father is co-accused. He was arrested and has been released on bail. The role attributed to applicant's father is the same which has been attributed to this applicant. Applicant is a college going student. The injury certificate shows, one grievous and two simple injuries were suffered by the complainant. So far as, the grievous injury is concerned, a specific role has been attributed to the co-accused who allegedly assaulted the complainant by iron rod on his head.*

4. *Learned APP seeks time to verify. Time granted. Stand over to 9th April, 2020.*

5. *In view of the facts of the case and role attributed to the applicant and additionally in absence of any criminal antecedents against the applicant, in the event of arrest of the applicant in C.R. No. 16/2020 registered with Ghoti Police Station, he shall be released on bail on furnishing P.R. Bond of Rs.20,000/- (Rs. Twenty Thousand only) with one or two sureties in the like sum.*

6. *The applicant shall report to the Investigating Officer on 31st March, 2020 and 4th April, 2020 between 11:00 to 1:00 p.m.*

7. *The applicant shall furnish the particulars of his place of residence and contact details to the Investigating Officer of the Police Station concerned within seven days from today.*

8. *The applicant shall not tamper with the evidence or attempt to influence or contact the complainant, witnesses or any person concerned with the case."*

4. I have heard the learned Counsel for the applicant and the learned APP for the State.

5. There appears to be no need of custodial interrogation as nothing is to be recovered at the instance of the applicant. Considering the role attributed to the applicant and as there are no other criminal antecedents, I am inclined to allow the present application. Hence, the order :

(i) The interim order passed by this Court by order dated 17 March 2020 is hereby confirmed.

5. The Application is accordingly disposed of.

(N.R. BORKAR, J.)

KANCHAN
PRASHANT
DHURI

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