

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO. 686 OF 2023**

Prakash Mugutrao Jagtap ... Applicant

Versus

The State of Maharashtra ... Respondent

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Mr. Vaibhav Gaikwad alongwith Mr. Atharva Bhingardev for the Applicant.

Ms. Rutuja Ambekar, APP for the State.

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CORAM : N.R. BORKAR, J.

DATED : 6 MARCH 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. 45 of 2023 registered at Saswad Police Station, Pune for the offences punishable under Sections 326, 323, 504, 506 of Indian Penal Code.

3. I have heard the learned Counsel for the applicant and the learned APP for the State and perused the FIR.

4. According to the prosecution, on the date of incident, which took place on 18 January 2023, the present applicant assaulted the

complainant by stick on account of previous dispute and caused him grievous injury.

5. The complainant and applicant are relatives. There appears to be dispute between them on account of partition of agricultural land. Prima facie, the incident does not appear to be premeditated. There are no other criminal antecedents. Considering the overall facts and circumstances, I am inclined to grant anticipatory bail to the present applicant. In the result, the following order is passed :

(i) Application is allowed.

(ii) In the event of arrest of the applicant - Prakash Mugutrao Jagtap in Crime No. 45 of 2023 registered at Saswad Police Station, Pune for the offences punishable under Sections 326, 323, 504, 506 of Indian Penal Code, he shall be released on bail on furnishing P.R. Bond in the sum of Rs.25,000/- with one or more sureties in the like amount.

(iii) The applicant shall attend the concerned police station as and when called by the Investigating Officer and shall co-operate in the investigation.

(N.R. BORKAR, J.)