

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

ANTICIPATORY BAIL APPLICATION NO. 1022 OF 2023

1. Yuvraj Rajkumar Pawar
2. Samjeba Durai Anandraj Nadar
3. Sharun B. Manakkal

..Applicants

v/s.

The State of Maharashtra & Anr.

..Respondents

Mr. Mehul Thakkar a/w. Kewin Gala i/b. Mehul Thakkar for the Applicant.

Mr. S.V.Gavand, APP for the State.

**CORAM : ANUJA PRABHUDESSAI ,J.
DATED : 10th APRIL, 2023.**

P.C.

1. This is an application under Section 438 Cr.P.C. filed by the aforesaid Applicants apprehending their arrest in C.R.No.79 of 2023 registered at Kandivali Police Station for offences under Section 323, 326, 504 r/w. 34 of the Indian Penal Code.

2. Heard learned Counsel for the Applicants, and learned APP for the 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 Jai Kumar Jai Madhusudanan. A perusal of the FIR prima facie reveals that there was a scuffle between the Applicants herein and the Complainant and his friends. It is stated that the Applicants assaulted

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the complainant and his friend by slaps, kicks and blows. The FIR does not prima facie indicate that the Applicants were armed with any weapon. Learned APP concedes that Harsh Panchal was admitted in the hospital for five days. He has placed on record copy of the medical certificate. The medical certificate reveals that there was minimal focal hemorrhage in the left CPC angle cistern and mild hemorrhage in the IV ventricle. The material on record does not prima facie indicate that the injury sustained by said Harsh Panchal is grievous injury within the meaning of Section 320 of the Indian Penal Code.

4. Considering the above facts and circumstances, the age of the applicants, and particularly the fact that the Applicants are students, in my considered view, this is not a case which would justify custodial interrogation. Hence the application is allowed on the following terms and conditions:-

(i) In the event of arrest of the Applicants (1) Yuvraj Rajkumar Pawar, (2) Samjeba Durai Anandraj Nadar and (3) Sharun B. Manakkal in Crime No.79 of 2023 registered at Kandivali Police Station, the Applicants be released on bail on furnishing bail bond of Rs.20,000/- (Rupees Twenty Thousand Only) each with one or two sureties in the like amount;

(ii) The Applicants shall report to the Investigating Officer as and

when required by the Investigating Officer.

(iii) The Applicants shall keep the Investigating Officer informed of their current address and mobile/contact details, and/or change of residence or mobile/contact details from time to time.

(iv) The Applicants shall not interfere with the Complainant and the other witnesses, or tamper with the evidence in any manner.

(ANUJA PRABHUDESSAI, J.)