

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO. 1024 OF 2023

Mithun P. Bhoir ...Applicant
V/s.
The State of Maharashtra ...Respondent.

Ms Shivani S. Kondekar for the Applicant.
Mr. A.A. Palkar, APP for the Respondent/State.

CORAM : N.R. BORKAR, J.
DATE : 19.04.2023.

P.C. :

1. This is an application under Section 438 of Code of Criminal Procedure for anticipatory bail.
2. The applicant is apprehending his arrest in Crime No.8 of 2023 registered at Taloja Police Station, Dist. Raigad for the offences punishable under Sections 307, 326, 324, 143, 144, 147, 148, 149, 504 and 506 of the Indian Penal Code and Section 37(1) read with 135 of Maharashtra Police Act.
3. I have heard the learned counsel appearing for the applicant and the learned APP for the respondent / State.
4. There appears to be dispute between the parties in relation to ownership of agricultural land. According to the prosecution, on the date of incident which took place on 8 January 2023, the present applicant and other co-accused assaulted the complainant and his family members by iron rod, stick etc. and attempted to commit their murder.

5. There is cross-FIR in relation to the incident in question. *Prima facie* the incident does not appear to be premeditated. The prosecution has already filed the charge-sheet against the co-accused. Considering the overall facts and circumstances, I am inclined to release the applicant on anticipatory bail on certain conditions. In the result the following order is passed.

ORDER

- A) The Application is allowed.
- B) In the event of arrest of the applicant in C.R. No. Crime No.8 of 2023 registered at Taloja Police Station, Dist. Raigad for the offences punishable under Sections 307, 326, 324, 143, 144, 147, 148, 149, 504 and 506 of the Indian Penal Code and Section 37(1) read with 135 of Maharashtra Police Act, he be released on bail on executing P.R Bond in the sum of Rs.25,000/- (Rupees Twenty Five Thousand) with one or two sureties in the like amount.
- C) The applicant shall not enter into the limits of village Nitlasgaon, Tal. Panvel, Dist. Raigad for a period of one year from today.

[N.R.BORKAR, J.]