

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO. 1148 OF 2023

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

Ms Shivani S. Kondekar for the Applicant.
Mrs. Rutuja Ambekar, 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. 19 of 2023 registered at Panvel Police Station, Dist. Raigad for the offences punishable under Sections 326, 324, 323 read with 34 of the Indian Penal Code.
3. I have heard the learned counsel appearing for the applicant and the learned APP for the respondent / State.
4. According to the prosecution, on the date of incident which took place on 8 January 2023 at about 2:15 p.m, the present applicant and other co-accused assaulted the complainant and his relatives by iron rod on account of incident which took place on the very same day in the morning in which the family members of the complainant and the family members of the present applicant

assaulted each other.

5. It appears that there is a dispute between the parties in relation to ownership of agricultural land. I have perused the statement of complainant. The grievous injury allegedly sustained by the injured Nivruti Bhoir is not attributed to the present applicant. The prosecution has already filed the charge-sheet against the applicant and other co-accused. Considering the overall facts and circumstances of the case, I am inclined to release the applicant on anticipatory bail. 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. 19 of 2023 registered at Panvel Police Station, Dist. Raigad for the offences punishable under Sections 326, 324, 323 read with 34 of the Indian Penal Code, 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.

[N.R.BORKAR, J.]