

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

ANTICIPATORY BAIL APPLICATION NO. 1932 OF 2023

Jatin Santosh Balgoher	...Applicant
vs.	
The State of Maharashtra	...Respondent

Mr. Lalit Gemnani a/w Mr. Vaibhav B. Patil i/by Mr. Satyam Pille -
Advocate for the Applicant
Mr. H. J. Dedhia - APP for the Respondent-State

CORAM : S. M. MODAK, J.

DATE : 17th JULY, 2023

P. C. :-

1. Heard learned Advocate for the Applicant and learned APP. Officer is present.
2. On the complaint of injured victim Nitin Shrivastava, offence is registered under Sections 323, 324, 326, 504 read with 34 of the Indian Penal Code against in all four persons. The present Applicant is accused no. 1. His girl friend has decided to marry with the first informant that is why the present Applicant got annoyed and assaulted the injured on 07/03/2023 at about 3.00 p.m. He alongwith his three known friends assaulted the first informant with

wooden sticks. There is fracture of mid shaft of tibia fibula on right leg. Certificate is issued by Central hospital Ulhas Nagar on 16/06/2023. The injury is grievous. Certificate is taken on record. Earlier to that on the same date, at 12.30 p.m., the present Applicant also threatened the first informant.

3. I am allowing the anticipatory bail for two reasons. One is two sticks are recovered from the spot and second is there is no specific allegation that assault with sticks is done by the present Applicant. The allegations is general in nature against all. Hence following Order:-

ORDER

- (i) Anticipatory bail application is allowed.
- (ii) In case of arrest in connection with C.R. No. 97 of 2023 registered with Hill Line Police Station for the offence punishable under Sections 323, 324, 326, 504 read with 34 of the Indian Penal Code, the Applicant-Jatin Santosh Balgoher be released on furnishing Personal Bond and Surety Bond in sum of Rs. 25,000/-.
- (iii) Applicant is directed not to enter territorial limits of the Ulhas Nagar Revenue Taluka till filing of the charge-sheet.
- (iv) Applicant is directed to give alternate place of residence

to the Police.

- (v) Applicant is directed not to threaten the prosecution witnesses.
- (vi) Applicant is directed to attend the Hill Line Police station as and when called.
- (vii) Needless to say, violating of the condition above will make the Applicant liable for cancellation of bail.

4. It is made clear that the these are my prima facie observations.

5. Application is disposed of in the aforesaid terms.

6. All the parties to act on an authenticated copy of this order.

[S. M. MODAK, J.]