

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

ANTICIPATORY BAIL APPLICATION NO. 2002 OF 2023

Mahesh s/o Dhanu Soude ...Applicant
vs.
The State of Maharashtra ...Respondent

Mr. Monty Teckchandani - Advocate for the Applicant
Mr. H. J. Dedhia - APP for the Respondent-State
API S. V. Vagare – Hill Line Police Station

CORAM : S. M. MODAK, J.

DATE : 17th AUGUST, 2023

P. C. :-

1. Heard learned Advocate for the Applicant and learned APP. Officer from Hill Line Police Station is present.
2. The present Applicant is accused no. 2-Mahesh. The F.I.R. is registered at Hill line Police Station bearing C.R. No. 97 of 2023 under Sections 326, 324, 323, 504 read with 34 of the Indian Penal Code. The girlfriend-Roshini of the first informant has decided to marry the first informant. However accused no. 1-Jatin proposed the said Roshni to marry and Roshni has refused that proposal. There was quarrel in between the Jatin and the first informant. The incident took place on 07/03/2023 at about 12.30 hours. The first informant

and two of his friends were playing holi in front of his house. Accused No. 1-Jatin came on the motor cycle and dashed him. Thereafter, at 3 p.m. accused No. 1-Jatin alongwith his friends including the present Applicant-Mahesh came there and abused him and beaten with fists and blows. They also beat him with wooden sticks. There was fracture to the right leg of Pratik, who is friend of the first informant. On this background, the F.I.R. came to be lodged.

3. Co-accused-Jatin has already granted anticipatory bail by this Court as per Order dated 17/07/2023 passed in Anticipatory Bail Application No. 1932 of 2023. The Order copy is marked as 'Annexure-X'. The role of the present Applicant is similar. The wooden sticks are seized from the spot and there are general allegations of beating by all the accused alongwith present Applicant. Custodial interrogation is not required. Hence the Order :-

ORDER

- (i) Anticipatory bail application is allowed.
- (ii) In case of arrest in connection with C.R. No. I-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-Mahesh s/o Dhanu Soude be released on furnishing

Personal Bond and Surety Bond in sum of Rs. 25,000/-.

- (iii) Applicant is directed to attend the Hill Line Police station on 25/08/2023, 01/09/2023 and 08/09/2023 from 10.00 a.m. to 12.00 noon.

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.]