

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

ANTICIPATORY BAIL APPLICATION NO. 2139 OF 2023

Sujit Kailas Karande	 Applicant
v/s.	
The State of Maharashtra	 Respondent

Mr. Ritesh Thobde a/w. Mr. Sagar Tambe for the Applicant.
Ms. A.A. Takalkar, APP for the State.
Mr. Abhay Jadhavan for the first informant.
Mr. Harichandra Chakne, IO, Kurduwadi Police Station, present.

CORAM: SMT. ANUJA PRABHUDESSAI, J.

DATED : 31st JULY, 2023.

P. C. :-

. The Applicant apprehends his arrest in C.R.No.145/2023 registered at Kurduwadi Police Station, Solapur Rural for offences punishable under sections 143, 147, 148, 307, 323, 324, 504, 506 r/w. 149 of the Indian Penal Code and sections 4 and 25 of Indian Arms Act.

2. Heard learned counsel for the Applicant, learned APP for the State and learned counsel for the first informant. 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 Sachin Takmoge. The facts narrated in the FIR prima facie reveal that

there is civil dispute between the first informant and the family of the Applicant herein. The first informant has alleged that on 24/03/2023 the Applicant obstructed his way and thereafter threatened him to cause his death. Immediately thereafter, the Applicant and others came armed with weapons and assaulted him with sword, rods, etc.

4. The medical records do not prima facie indicate that the first informant and others had sustained any serious or grievous injuries on vital part of the body. Most of the injuries are caused by a blunt and hard object. It is stated that the Applicant is pursuing his studies and he is a student of D.Y. Patil Agricultural and Technical University, Kolhapur. Moreover, the records reveal that the co-accused in this crime has also lodged the FIR against the first informant and others pursuant to which crime has been registered against them for committing similar offences. It is stated that both parties have sustained simple injuries. It appears to be a case of free fight between both the groups.

5. In view of the above facts and circumstances and particularly considering the nature of the accusations and the material in support thereof, in my considered view, this is a fit case to exercise discretion under section 438 of Cr.P.C. Hence, the Application is allowed on the following terms and conditions :-

(a) In the event of arrest of the Applicant in C.R.No.145/2023 registered at Kurduwadi Police Station, Solapur Rural, he shall be released on bail on furnishing bail bonds in the sum of Rs.25,000/- with one or two sureties in the like amount ;

(b) The Applicant shall report to the Investigating Officer on 04/08/2023 and 05/08/2023 between 11:00 a.m. to 02:00 p.m.

(c) The Applicant shall not interfere with the complainant and the other prosecution witnesses and shall not tamper with the evidence or attempt to influence or contact the complainant, witnesses or any person concerned with the case in any manner ;

(d) The Applicant shall keep the Investigating Officer informed of his current address and mobile contact numbers, and/or change of residence or mobile details, if any, from time to time.

6. The Application stands disposed of.

PREETI
HEERO
JAYANI

Digitally signed
by PREETI
HEERO JAYANI
Date: 2023.08.02
18:03:08 +0530

(SMT. ANUJA PRABHUDESSAI, J.)