

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

ANTICIPATORY BAIL APPLICATION NO. 2178 OF 2023

1. Mr. Aniket Maruti Kamble
2. Mr. Akash Shyam Pawar

..Applicants

v/s.

The State of Maharashtra .

..Respondents

Mr. Kunal Jha for the Applicant.
Mr. R.M.Pethe, APP for the State.

**CORAM : ANUJA PRABHUDESSAI , J.
DATED : 10th AUGUST, 2023.**

P.C.

1. This is an application under Section 438 Cr.P.C. filed by the aforesaid Applicants apprehending their arrest in C.R.No.440 of 2023 registered with Samta Nagar Police Station, Kandivali, Mumbai for offences under Section 326, 504, 506 r/w. 34 of the Indian Penal Code.

2. Heard learned Counsel Mr. Jha for the Applicant and Mr. Pethe, learned APP for the State. 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 Jitesh Parasnath Vishwakarma. It is alleged that the applicant and others assaulted the first informant and Navnath by kicks and fist blows.

**PRASANNA
PRADEEP
SALGAONKAR**

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It is further stated that the co-accused Amol Kamble hit a stone on the nose of Navnath and thus caused grievous injury. The applicants are alleged to have abused and threatened the first informant and the injured witness.

4. The facts narrated in the FIR prima facie reveal that there was an altercation and scuffle between both the groups. The material on record does not, prima facie, indicate that the applicants herein were armed with any weapon. They have not inflicted any grievous injury on the first informant or Navnath. The only role attributed to them is that they has assaulted the informant and the witness Navnath with kicks and fist blows.

5. Considering the role attributed to the applicants, in my considered view, this is a fit case to grant bail. Hence the application is allowed on the following terms and conditions:-

- (i) In the event of arrest of the Applicants in Crime No.440 of 2023 registered with Samta Nagar Police Station, Kandivali, Mumbai, the Applicants be released on bail on furnishing bail bond of Rs.25,000/- (Rupees Twentyfive Thousand Only) each with one or two sureties in the like amount;
- (ii) The Applicants shall report to the Investigating Officer for two

days on 16th and 17th August, 2023, between 11.00 a.m. to 2.00 p.m.

(iii) The Applicants shall keep the Investigating Officer informed of their current address and mobile/contact details, and/or change of residence or mobile/contact details from time to time.

(iv) The Applicants shall not interfere with the Complainant and the other witnesses, or tamper with the evidence in any manner.

. **Application stands disposed of.**

(ANUJA PRABHUDESSAI, J.)