

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

ANTICIPATORY BAIL APPLICATION NO. 3158 OF 2023

SANTOSH
SUBHASH
KULKARNI

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1. Sandeep Mahesh Mahto
2. Dinesh Bhikaji Bhosale
3. Santosh Bhikaji Bhosale
4. Sagar Bhikaji Bhosale
5. Ankush Bhikaji Bhosale
Versus
State of Maharashtra

...Applicants
...Respondent

Mr. Prashant Mohite, a/w Sameer Mangaonkar and Naresh
Khandelwal, for the Applicant.

Mr. S. H. Yadav, APP for the State/Respondent.

API S. V. Vagare, Badlapur Police Station, Thane City,
present.

CORAM: N. J. JAMADAR, J.

DATED: 7th NOVEMBER, 2023

ORDER:-

1. Heard the learned Counsel for the applicants and the
learned APP for the State.

2. This is an application for pre-arrest bail in connection
with CR No.280 of 2023, registered with Badlapur Police
Station, Thane, for an offences punishable under Sections
324, 143, 144, 147, 148, 149, 323, 427 and 506(2) of Indian
Penal Code, 1860 ("the Penal Code").

3. The first informant lodged a report with an allegation
that on 25th October, 2023 in front of Shirgaon MIDC Cycle

Company, Mauli Chowk, Badlapur, the applicants and their 15 associates formed an unlawful assembly and in prosecution of the common object of the unlawful assembly assaulted him by means of iron rod, sticks and kick blows. When his father and mother came to his rescue, they were also assaulted by means of stick and fist and kick blows.

4. The learned Counsel for the applicants submitted that all the offences are appear to be bailable.

5. It does not appear that any of the injured has sustained any grievous hurt. In the backdrop of the nature of the accusation, custodial interrogation of the applicants does not seem to be warranted.

6. Hence the following order:

: O R D E R :

(i) In the event of arrest of the applicants in CR No.280 of 2023, registered with Badlapur Police Station, Thane, the applicants be released on bail on furnishing a PR Bond in the sum of Rs.30,000/- with one or two sureties in the like amount, each.

(ii) The applicants shall cooperate with the investigation and attend Badlapur Police Station on 10th 20th and

21st November, 2023 in between 10.00 am. to 1.00 pm.
and, thereafter, as and when directed.

- (iii) The applicants shall not tamper with the prosecution evidence and/or give threat or inducement to the first informant or any of the persons acquainted with the facts of the case.
- (vi) It is clarified that these *prima facie* observations are confined to determine entitlement to pre-arrest bail only.

Application stands disposed.

[N. J. JAMADAR, J.]