



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**  
**BENCH AT AURANGABAD**

**ANTICIPATORY BAIL APPLICATION NO. 462 OF 2024**

1. Sandeep Vitthal Sontakke  
2. Ranjeet Vitthal Sontakke ... Applicants

**VERSUS**

The State Of Maharashtra  
And Another ... Respondents

.....  
Mr. Tushar Shinde, Advocate for Applicants  
Mr. C.V. Bhadane, APP for Respondents – State  
Mr. Mahesh K. Bhosale, Advocate for Informant  
.....

**[CORAM : NITIN B. SURYAWANSHI, J.]**

**DATE : 30<sup>th</sup> APRIL, 2024**

**ORDER :**

1. Applicants apprehend arrest in Crime No. 91 of 2024, registered with Sadar Bazar Police Station, Jalna for offences punishable under sections 327, 452, 324, 323, 143, 147, 148, 149 of the Indian Penal Code.

2. FIR is lodged by Jayashri Katke alleging that on 01.02.2024, at about 01.00 p.m., while she was at her house, Sandeep Sontakke entered in the house and assaulted her with wooden stick on left shoulder and wrist and elbow. He dragged her out of the house by holding her hand. Thereafter, his brother Ranjeet Sontakke, their mother and their wives assaulted her with fists and kick blows. Ranjeet snatched her gold bracelet weighing 50 gms. Thereafter, her husband

Sanjay Katke came there, Sandeep and Ranjeet assaulted him with wooden log on head and hand. Sandeep and Ranjeet told them that the house belongs to them and why informant and her husband have come there, why they have purchased the said house from their brother.

3. Applicant Sandeep Sontakke has lodged cross FIR of the incident alleging that when he was bringing his son Siddharth from the School, 200 meters before his house, when he came near to the house of his brother Ranjeet Sontakke, applicants Sanjay Tukaram Katke, Jayashri Sanjay Katke, Shrijit Sanjay Katke and 3-4 unknown persons along with them blocked him. Sanjay asked him as to why she has lodged FIR against them. Then he went in the house of Raju Poul and got iron pipe and assaulted him on left jaw. Jayashri and her son Shrijit assaulted him with stick on thigh and back. Sanjay was in police uniform. Because of the assault by Sanjay, his molar tooth fell out. Accordingly, crime No.0092/2024 registered with Sadar Bazar Police Station, Jalna against Sanjay Tukaram Katke, Jayashri Sanjay Katke, Shrijit Sanjay Katke and 3-4 unknown persons for offences punishable under sections 143, 147, 148, 149, 326, 341, 323, 504, 506 of Indian Penal Code.

4. Heard learned advocate for applicant, learned APP for respondents – State and learned advocate for Informant. Perused the Investigation papers.

5. After arguing at length on merits, when this Court was not inclined to grant relief to Sandeep Sontakke, learned advocate for applicants, on instructions, seeks permission to withdraw the application of Sandeep Sontakke. Permission granted. Application of Sandeep Vitthal Sontakke is dismissed as withdrawn.

6. There appears scuffle between applicants' side and informant's side in which both the parties have suffered injuries:

7. Injury certificate of Jayashri Katke shows following injuries:-

(i) Contusion - left forearm centre – 6 x 2 cm – irregular – simple.

(ii) Contusion - left shoulder – 6 x 2 cm – irregular – simple.

(iii) Contusion – left arm centre – 1 x 0.5 cm – irregular – simple.

(iv) X-ray of left forearm was obtained and medical officer has not noticed any bone injury.

Sanjay Katke has suffered following injuries:-

- (i) Contusion and lacerated wound on vertex – 2 x 0.5 x 0.5 cm – irregular – simple.
- (ii) Contusion on left palm – 1 x 05. cm – irregular – simple.
- (iii) Contusion on left arm – 1 x 0.5 cm – irregular – simple.

Applicant Sandeep Sonttake has suffered following injuries:-

- (i) Contusion – Right side mandible – 3x2 cm - oblique – simple.
- (ii) Contusion – Left shoulder lateral 8 x 2 cm – oblique – simple.
- (iii) Fracture – Left hand dorsum – oblique – simple.
- (iv) Loss of left 3<sup>rd</sup> Molar tooth – grievous.

8. On perusal of investigation papers of both the crimes, it appears that there was scuffle between both the parties and both the parties have assaulted each other in the incident. It is not possible at this stage to determine as to which party is aggressor.

9. Taking into consideration the injuries suffered by informant and Sanjay, there are no corresponding injuries which are attributed to Ranjeet. His over implication cannot be ruled out at this stage. He has no criminal antecedents and he is permanent resident of Village Dhorpura, District-Jalna and

he will not abscond if released on bail. As nothing is to be recovered from applicant, his pre-trial custodial detention is not necessary in the facts of the present case.

10. Application is therefore allowed. In the event of arrest of applicant Ranjeet Vitthal Sontakke in connection with Crime No. 91 of 2024, registered with Sadar Bazar Police Station, Jalna for offences punishable under sections 327, 452, 324, 323, 143, 147, 148, 149 of the Indian Penal Code, he be released on bail on executing Personal Bond and Surety Bond of Rs.15,000/- with one surety in the like amount.

11. Till filing of charge-sheet, applicant shall attend the concerned police station as and when called by the Investigating Officer. Applicant shall not tamper prosecution evidence.

**[NITIN B. SURYAWANSHI ]**  
**JUDGE**