

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

ANTICIPATORY BAIL APPLICATION NO. 602 OF 2024

Vinod Janardan Bhoir

.... Applicant

Versus

The State of Maharashtra

.... Respondent

YUGANDHARA
SHARAD
PATIL

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YUGANDHARA
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Mr. Kuldeep S. Patil i/b Saili Dhuru, for the applicant.
Mr. Avinash A. Naik, APP for the State/Respondent.

CORAM :SARANG V. KOTWAL, J.
DATE : 5th MARCH, 2024

P.C. :

1. The Applicant is seeking anticipatory bail in connection with C.R. No. 31 of 2024 registered at Taloja Police Station, on 23/01/2024 under sections 324, 504 of the Indian Penal Code. Subsequently, Section 326 of the Indian Penal Code is added.

2. Heard Mr. Kuldeep Patil, learned counsel for the Applicant and Mr. Avinash Naik, Learned APP for the Respondent-State.

3. The FIR is lodged by injured Subhash Thakur. He has

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stated that he was working as a machine operator in the Company known as Kemps Pack. The Applicant was also working there as a machine operator. Since about one month before the FIR, there was an incident of fire in the company and since then the company was closed. However, the workers used to gather outside the gate. On 23/01/2024, there was a meeting between the Management and the committee members. The informant had attended that meeting inside the office. When he came out at around 12.45 p.m., he was telling the workers as to what had transpired during the meeting. The Applicant started abusing the committee members. The informant tried to stop him. The Applicant got angry. He picked up a stick lying there and gave a blow on the head of the informant. After that he left the place. The informant was taken to Shree Sai Multi Specialty Hospital at Taloja for treatment. After that he lodged the FIR.

4. Learned counsel for the applicant submitted that the incident occurred on the spur of a moment. There was no pre-meditation. The Applicant has not caused any grievous injury to

the informant. Therefore, his custodial interrogation is not necessary.

5. Learned APP produced investigation papers before me. There are statements of witnesses Subhash Bhoir, Mohan Bhoir, Dnyaneshwar Mhatre and Rajesh Bhoir. All of them have supported the informant's case. The injury certificate shows that the informant has suffered acute fresh CLW on the parietal bone joint of size 9 cm x 3 cm x 3 cm upto the skull bone. It was described as grievous injury in the medical certificate. The Investigating Officer informed the Court that the informant required 17 stitches. Therefore, though there was no damage to the brain, injury was grievous and had needed suturing as well.

6. Considering the gravity of the offence and the nature of the injury caused to the informant and also taking into account the material against the Applicant, no case for anticipatory bail is made out. The application is rejected.

(SARANG V. KOTWAL, J.)