

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

ANTICIPATORY BAIL APPLICATION NO. 1056 OF 2024

(1) Pundlik Tangaji Narote,
(2) Tukaram Pundlik Narote,
(3) Babalu alias Vishal Babasaheb Kolpe,
(4) Komal Darshan Narote,
(5) Savita Samadhan Vhadgar. ..Applicants

Versus

The State of Maharashtra ..Respondent

Mr. Gaurav Pandey a/w. Ranjit Jadhav for Applicants.

Mr. C. D. Mali, APP for State/Respondent.

CORAM : SARANG V. KOTWAL, J.

DATE : 18 APRIL 2024

P.C. :

1. The Applicants are seeking anticipatory bail in connection with C.R.No.92 of 2024 registered at Chandwad Police Station, Nashik Rural, on 20.03.2024, under sections 143, 147, 148, 149, 326, 324, 323, 504 and 506 of the Indian Penal Code.

2. Heard Mr. Gaurav Pandey, learned counsel for the applicant and Mr. Mali, learned APP for the State.

3. The F.I.R. is lodged by one Bhagwan Narote. He has stated that, there was a land dispute between the informant's group and the group of the present applicants. On 18.03.2024, the informant and his family members were cultivating the land at Gat No.375(A)(1); that time all the present applicants along with other two accused Darshan Narote and Bhamabai Narote came there with sticks and iron rods. They started abusing the informant's group and started assaulting them. It is alleged that the accused Darshan assaulted the informant's father Ashok on his stomach and head. The applicant Pundlik gave a blow with an iron rod to Ramdas Rarote. The applicant Tukaram assaulted Sitabai Narote with a stick. The others also took part in the assault. On this basis the F.I.R. was lodged.

4. Learned counsel for the applicants submitted that the allegations in the F.I.R. are not true. There is no role attributed to the applicant No.3 Vishal, the applicant No.4 Komal and the applicant No.5 Savita. The applicants' group has lodged an F.I.R. vide the C.R.No.88 of 2024 at the same police station, mainly under section 326 r/w. 149 of the I.P.C. This F.I.R. is lodged by the

applicant Tukaram. It is described in the F.I.R. that the present applicants' group was assaulted by the informant Bhagwan's group. The applicants' group had suffered serious injuries. Therefore, in this background, the applicants be protected.

5. Learned APP opposed these submissions. According to him, specific roles are attributed to the applicants Pundlik and Tukaram. They have caused serious injuries and, therefore, protection should not be granted to the applicants.

6. I have considered these submissions. I have perused the investigation papers produced before the Court. There are statements of injured eye witnesses Ramdas, Ashok and Dattu. They have supported the case of the first informant narrated in the F.I.R. The medical certificates show that, Ramdas had suffered fracture of right hand. It was a grievous injury. There was blunt trauma on the abdomen and one C.L.W. There were simple injuries. Dattu suffered simple C.L.W. Ashok had suffered C.L.W. on his scalp of 13cm x 1cm x 1cm. As against that, the applicants' group had also suffered grievous injuries. The Applicant Pundlik

had two contusions on chin and on right elbow, but he had suffered grievous injury causing loss of two teeth. Bhamabai, wife of the applicant No.1 Pundlik had suffered fracture of her forearm. Besides this there are two other injuries. Her injury was described as grievous injury. All these aspects are not mentioned in the F.I.R. lodged by the informant. As rightly submitted by the learned counsel for the applicants, no specific roles are attributed to the applicants Babalu, Komal and Savita. The applicant Tukaram is alleged to have assaulted Sitabai, but she had not suffered any serious injury. In this view of the matter, the applicants can be protected U/s.438 of the Cr.p.c. However, considering the enmity between the groups, some conditions are required to be imposed.

7. Hence, the following order :

ORDER

- i) In the event of their arrest in connection with C.R.No.92 of 2024 registered at Chandwad Police Station, Nashik Rural, the applicants are directed to be released on bail on their executing P. R. bonds in the sum of Rs.30,000/- each (Rupees Thirty Thousand each Only) with one or two

sureties each in the like amount.

- ii) The Applicant No.1, 2 and 3 shall report to the concerned Police Station once in a fortnight for a period of five months from today and shall cooperate with the investigation.
- iii) The Application is disposed of.

(SARANG V. KOTWAL, J.)