

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO.2595 OF 2023

Shailesh Dattaray Sakore

...Applicant

vs.

The State of Maharashtra

...Respondent

VISHAL
SUBHASH
PAREKAR

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VISHAL SUBHASH
PAREKAR
Date: 2024.04.10
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Mr. Shubham Sane i/b. Mr. Priyal Sarda, for the Applicant

Mr. Prashant Jadhav, APP, for the Respondent/State.

Mr. N.R. Angaj, PSI, MIDC-Bhosari police station.

CORAM : N. J. JAMADAR, J.

DATE : APRIL 08, 2024

P.C.:

1. Heard the learned counsel for the applicant and the learned APP for the State.

2. This application is preferred seeking pre-arrest bail in connection with C.R. No. 370 of 2023 registered at Bhosari-MIDC police station for the offences punishable under sections 323, 326, 504 and 506 read with 34 of Indian penal Code, 1860.

3. By an order dated 12th September, 2023 this Court had granted interim bail with a direction to the applicant to cooperate with the investigation and appear before the investigating officer. Learned APP was also directed to place the injury certificate.

4. The Court is informed that the applicant had appeared before the investigating officer.

5. The injury certificate of the first informant indicates that the first informant had sustained swelling on the left elbow. There was

blunt trauma over left hand and undisplaced fracture was also noted.

6. I have perused the allegations in the FIR. It appears that the applicant is the brother in law of the first informant. On the day of occurrence, an altercation had ensued between the first informant on the one side, his wife and the applicant on the other side. The wife of the first informant was demanding her share in the property of the first informant. During the course of altercation, the applicant has allegedly assaulted the first informant by means of an iron rod.

7. Having regard to the genesis of the occurrence and the fact that the applicant had cooperated with the investigation, at this length of time, the custodial interrogation of the applicant does not seem warranted to facilitate further investigation.

8. I am, therefore, inclined to make the order of interim bail dated 12th September, 2023 absolute on the terms and conditions incorporated therein.

9. In addition, the applicant shall regularly attend the proceedings before the jurisdictional Court.

10. It is clarified that these prima facie observations are confined to determine entitlement to pre-arrest bail only.

(N. J. JAMADAR, J.)