

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO. 1752 OF 2024**

Pravin Kailas Zinjar	...	Applicant
vs.		
The State of Maharashtra	...	Respondent

Mr. Nitin Gaware Patil, i/b. Divyesh Jain for applicant.

Mr. Balraj Balkrishna Kulkarni, APP for respondent-State.

**CORAM : MANISH PITALE, J.
DATE : 05th JULY, 2024**

P.C. :

. Heard learned counsel for the applicant and the learned APP for the respondent-State.

2. In the present case, the applicant apprehends arrest in connection with FIR No.0293 of 2024 dated 31.05.2024 registered at Police Station Malegaon Taluka, District Nashik Rural for offences under Sections 326, 324, 323, 504 and 506 read with 34 of the Indian Penal Code, 1860.

3. At the outset, the learned counsel for the applicant submits that the present case involves cross FIRs and that this Court has already granted anticipatory bail to the two accused persons in the cross FIR. Both the FIRs pertain to the same incident, which is said to have occurred on 23.05.2024.

4. This Court is further informed that the co-accused person, who was injured in the incident, has also been already granted anticipatory bail by the Sessions Court.

5. By order dated 01.07.2024 passed in Anticipatory Bail Application No.1716 of 2024, this Court granted anticipatory bail to the two accused persons in the cross FIR dated 01.06.2024. In the said order, it was noted that the incident occurred on account of a dispute pertaining to boundary of agricultural fields, which are adjacent to each other.

6. This Court has considered the statement of the informant, leading to registration of the subject FIR. Certain specific acts are indeed attributed to the applicant. But, the entire incident has to be appreciated holistically, in the light of the cross FIRs being registered. The injured co-accused person is the brother of the applicant and it appears that in the scuffle that occurred due to the dispute pertaining to boundary of agricultural field, the persons from both the groups ended up assaulting each other.

7. Considering the nature of incident and the fact that the two accused persons in the cross FIRs have been granted anticipatory bail, as also because the co-accused injured person is also granted anticipatory bail by the Sessions Court, this Court is inclined to allow the present application, particularly because there do not appear to be any criminal antecedents of the applicant.

8. In view of the above, the application is allowed in the following terms:

- (i) In the event the applicant is arrested in connection with FIR No.0293 of 2024 dated 31.05.2024 registered at Police Station Malegaon Taluka, District Nashik Rural, he shall be released on bail on furnishing PR Bond of ₹ 25,000/- (Rupees Twenty-five Thousand only) and one or two sureties in the like amount to the satisfaction of the trial Court;

- (ii) The applicant shall remain present before the Investigating Officer, as and when the Investigating Officer calls upon him to remain present.
- (iii) The applicant shall not tamper with the evidence of the prosecution in any manner. He shall not influence the informant, witnesses and other persons concerned with the case.
- (iv) The applicant shall co-operate with the investigation and also in the proceedings before the trial court.

9. In the event, the applicant violates any of the conditions specified in this order, it shall be liable to be cancelled.

10. Needless to say, the observations made in this order are limited to the disposal of the present anticipatory bail application and the trial court shall proceed further in the matter without being influenced by the observations made hereinabove.

11. The application stands disposed of.

(MANISH PITALE, J)