

MHBI040013062022

ORDER BELOW EXH.1 IN CRI.BAIL APPLN. No. 493/2022.Trimbak Rambhau Kundgar

V/s.

The State of Maharashtra.

1] The applicant / accused namely **Trimbak Rambhau Kundgar** , Age 53 years seeking anticipatory bail under sections 438 of Cr.P.C. in the event of his arrest in Crime No.210/2022, registered with Ambajogai Rural Police Station for the offence punishable under sections U/Sec.307,143,148,147,149,324,506 of Indian Penal Code.

2] Perused the application. Say of I.O/ APP. Heard Shri.A.R. Lomte Advocate, appearing on behalf of the applicant/accused and APP Shri. A.V.Kulkarni for State at length.

3] On perusal of the F.I.R., it appears that, informant Dhondiba Laxman Kundgar, lodged complaint before Ambajogai Rural Police Station on 14-09-2022, alleging therein that he is residing with his wife, son and mother. Before four months back there was quarrel in between Sudhakar alias Sudam Kundgar and Prakash Mane and his sons so he was surety. Since then Sudhakar was angry with him. On 13-09-2022 he along with his son Thakurao alias Rahul had been towards temple of Lord Hanuman at that time Sudhakar Kundgar, Ashok Kundgar, Balasaheb Kundgar, Sushil Kundgar,

Trimbak Kundgar, Mahadeo Kundgar and Vishnu Kundgar had came towards him. At that time, Sudhakar told to him you are taking sureties, I will kill him and therefore, Sudhakar assaulted to him by means of iron Koyata on his head. Ashok and Trimbak assaulted to him by means of sticks. So he sustained bleeding injuries.

4] When his son Rahul had came for intervening quarrel Sushil, Mahadeo and Vishul assaulted to Rahul by means of stone. On hearing voice of the quarrel his wife Suvarana had came on the spot along with Digambar. At that time Archana Kundgar assaulted to his wife by means of stone and she sustained injury on her leg. Ashok assaulted by means of stick to Digambar. Then villagers had came on the spot. They intervened the said quarrel.

5] On perusal of the F.I.R., it appears that, on the basis of information given by the injured Dhondiba aforesaid offence is registered against the all accused persons including the present applicant. On perusal of F.I.R and investigation papers, it appears that present applicant/accused have also active role in the said crime. He assaulted to the informant by means of stick. Further Ld. APP submitted that the present applicant along with other accused persons were intend to kill to the complainant by assaulting to him by means of stick and stone and koyata. Investigation is in progress. Recovery of weapon at the instant of the accused is essential one. So considering submission of Ld. APP say of I O and investigation papers it appears that presence of the present applicant with I.O. is essential one and therefore he is not entitled to be released on pre-arrest bail.

Hence, I proceed to pass the following order.

:: O R D E R ::

Application is hereby rejected.

Date : 19.10.2022.

(V. K. Mande)
Addl.Sessions Judge,
Ambajogai.

Certificate:-

I affirm that, the contents of this P.D.F file are word to word as per original Judgment / order.

Dictated on : 19.10.2022.

Transcribed on: 19.10.2022.

Checked and signed on : 19.10.2022.

Sd/-

(V.L.Bhalekar)

Stenographer Gr-1.