



MHCC050029122022

IN THE COURT SESSION, AT DINDOSHI
BORIVALI DIVISION, GOREGAON, MUMBAI

ANTICIPATORY BAIL APPLICATION NO. 836 OF 2022
IN
C.R.NO.185 OF 2022

- 1.Akash Chandrakant Kamble,**
Age-23, Occ: Service,
- 2. Santosh Sanjay Hiwale,**
Age-26, Occ: Service,
- 3. Reshma Hiranman Bhalerao,**
Age-38, Occ: Housemaid,
- 4. Kanta ganga Hiwale,**
Age-60, Occ: Housewife,
- 5. Laxmi subhash gaikwad,**
Age-34, Occ: Housemaid,
- 6. Vijay prakash Hiwale,**
Age-28, Occ: Service,
- 7. Prakash Kisan Paikrao,**
Age-35, Occ: Service,
- 8. Shubhangi Siddharth Gambhire,**
@ Shubhangi Pravin Tupvihire,
Age-22, Occ: Housewife,
- 9. Vikrant Vinayak Gambhire,**
Age-22, Occ: Service,

All residing Aarey milk colony, Gautam nagar,
near Modern Bakery, Goregaon (E),

Mumbai 400065.

...Applicants/Accused.

V e r s u s

The State of Maharashtra
(Aarey Police Station)

...Prosecution.

Shri Sanjay Sonawane Advocate for applicants/accused.
Miss. R.S.Kanojia A.P.P for the State.

**CORAM : A. Z. KHAN,
Additional Sessions Judge,
Borivali Division Dindoshi.
(C. R. NO. 15)
Dt. 31st May,2022.**

ORDER

1. The present application is filed by the applicants/accused for the Anticipatory Bail. Perused the application & say thereon vide Exh.3. Heard the learned counsel for the applicants/accused Shri Sanjay Sonawane & the learned Miss R. S. Kanojia A.P.P for the State. I have gone through the record, the case diary & say of the police including the documents. It is seen that the offence came to be registered against the present applicants/accused alongwith the other accused alleged to have been committed the offences punishable u/s 307, 143, 147, 149, 354, 324, 323, 506(2), 504, 153(A), 295 & 295(A) of The I.P.C.

2. It is pertinent to note here that the report lodged by the complainant namely Balkrishana Sambhajit Tiwari alongwith the statements of the witnesses and the medical Certificate etc shows that the complainant and others made the procession in respect of Kalush Yatra wherein the complainant and others were dancing on road but there was stone pelting upon them in which the complainant and others sustained injuries whereby he lodged the report. No doubt, the record clearly shows that there is a counter case against the complainant and others wherein the complainant and others have also involved in stone pelting towards the present applicants/accused and thus the offence is

registered against them who are released on bail by the court.

3. Needless to say that the accused are the permanent resident of Aarey milk colony, Gautam nagar, near Modern Backery, Goregaon (E), Mumbai and they are ready to abide all the terms and conditions imposed by the Court. Nothing has to be seized from the accused & the investigation officer can investigate the matter without the custody of the accused & no prejudice the case of the prosecution.

4. In such circumstances, I am of the view that this is the fit case in which the present applicants/accused can be released on anticipatory bail by invoking the provision laid down u/s 438 of The Cr.P.C & thus I proceed to pass the following order.

ORDER

The application is hereby allowed.

The applicants/accused Nos.1.Akash Chandrakant Kamble, 2. Santosh Sanjay Hiwale, 3. Reshma Hiranman Bhalerao, 4. Kanta ganga Hiwale,5. Laxmi subhash gaikwad, 6. Vijay prakash Hiwale,7. Prakash Kisan Paikrao, 8. Shubhangi Siddharth Gambhire @ Shubhangi Pravin Tupvhire & 9. Vikrant vinayak Gambhire be released on bail in C.R.No. 185/2022 registered by Aarey Police Station u/s 307, 143, 147, 149, 354, 324, 323, 506(2), 504, 153(A), 295 & 295(A) of The I.P.C on furnishing P. R. Bond of Rs. 25,000/-(Rs. Twenty Five Thousand only) each with one or two surety/sureties in the like amount in the event of their arrest.

The applicants/accused shall not tamper with the witnesses in any manner & remain present as & when called by the I.O.

(A.Z.Khan)

Additional Session Judge
Borivali Div, Dindoshi

Date : 31.05.2022.
Dictated on : 31.05.2022.
Typed on : 31.05.2022.
Signed on : 31.05.2022.

“CERTIFIED TO BE TRUE AND CORRECT COPY OF THE ORIGINAL SIGNED JUDGMENT/ORDER.”

31.05.2022 at 04.43 P.M.
UPLOAD DATE AND TIME

(S.S.Chudji)
NAME OF STENOGRAPHER

Name of the Judge (With Court room no.)	SHRI. A. Z. KHAN (C.R. NO.15)
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Date of Pronouncement of JUDGMENT/ ORDER	31.05.2022
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JUDGMENT/ORDER signed by P.O. on	31.05.2022
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JUDGMENT/ORDER uploaded on	31.05.2022
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