

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CRIMINAL APPELLATE JURISDICTION****ANTICIPATORY BAIL APPLICATION NO.731 OF 2015**

Rohidas Ashok Chorage

..Applicant.

versus

The State of Maharashtra

..Respondent.

.....

Mr. Ganesh Gole for the Applicant.

Mrs. A.A. Mane, Addl. P.P. for the State.

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CORAM : A.S. GADKARI, J.
(VACATION COURT)**22nd May 2015.****P.C. :**

The Applicant is apprehending arrest in C.R. No.13 of 2015 dated 6th April, 2015 registered at Poladpur Police Station, Raigad for offences under Section, 307, 323, 324, 143, 147, 148, 149 of the Indian Penal Code. The learned counsel for the Applicant contended that the F.I.R. which was registered on 6th April, 2015 is absolutely silent about any role played by the Applicant and therefore, there is every possibility that the Applicant is falsely implicated in the present crime at the behest of the other witnesses. The learned counsel for the Applicant further submits that the custodial interrogation of the Applicant is not at all necessary as some of the accused persons have already been released on anticipatory bail by the Trial Court. He further contended that as far as some of the other accused persons are concerned, they are released on regular bail. He, therefore, prays that the present Applicant may be released on anticipatory bail.

2. I have perused the record produced by the learned APP. The record discloses that though the name of the present Applicant is not appearing in the F.I.R. lodged by Swapnil Sitaram Chorage, the other

injured eye witness Shailesh has in unequivocal terms stated that the Applicant gave a blow of a sickle on his right hand and has caused injury to him. The injury certificate issued by the Casualty Medical Officer, Sir. J.J.Group of Hospitals of the witness Shailesh discloses that the stab wound caused to him is of grievous nature. Apart from the said stab wound, one more incised wound was caused to the said witness.

3. The investigation of the present crime is in progress and it is necessary to recover the weapon used by the Applicant in the present crime. In my considered opinion, the custodial interrogation of the Applicant is necessary and the present Applicant does not deserve to be released on anticipatory bail. The Application is dismissed.

(A.S. Gadkari, J.)