

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO.926 OF 2015

Jayram Soma Bhosale ... Applicant

Vs.

The State of Maharashtra ... Respondent

Mr.Rajendra Raghuwanshi i/b S.T. Waghmode for the Applicant
Mr.Arfa Sait, APP, for Respondent – State
Mr.P.K.Shitole, Investigating Officer / PSI, Local Crime Branch, Pune
(Rural) - present

CORAM: **MRS.MRIDULA BHATKAR, J.**

DATE: **JULY 8, 2015**

P.C.:

1. In this case, interim pre-arrest bail was granted earlier by order dated 1.7.2015. The informant one Prem Dhulsing Chavan was working in a hotel Kinara, Vaksai naka, Lonavala, District Pune. On 23.5.2015, at night, there was a quarrel between one waiter and a customer when, he called some persons. He phoned somebody thereafter and the co-accused and the present applicant/accused arrived there. They abused, assaulted and warned the complainant and the other waiters. Thereafter, on the night intervening 24th May and 25th May, 2015 at 00.30 hours, after cleaning of the hotel when the staff was about to leave the hotel, the applicant/accused and the co-accused suddenly arrived in the cars alongwith weapons and they assaulted the complainant and other waiters

in the hotel. It is the case of the prosecution that the applicant/accused assaulted Ravi Shah with an iron rod on his hand and legs.

2. The learned Counsel for the applicant/accused submitted that the applicant/accused was not present at the relevant time. He is falsely implicated in this case as he had earlier arrived at the hotel alongwith the co-accused on 23.5.2015. He submitted that on 24.5.2015, in the evening at around 7.30 pm, he was present in the Ganpati temple at Ganpatipule, which is nearly 320 kms. away from Vaksai and it takes nearly six hours to reach the hotel from Ganpatipule. He submitted that the CCTV footage disclosing his presence at Ganpatipule at 7.30 is available.

3. This submission of alibi was made by the learned Senior Counsel at the time of granting interim pre-arrest bail and thereafter the learned Prosecutor wanted to verify this after obtaining instructions from the Investigating Officer. Today, the learned prosecutor submitted a report given by the police officer. He submitted as per the report given to him, this applicant/accused was present at Ganpatipule temple at 7pm at 24.5.2015. He is seen in the CCTV footage and a CD of the said footage is collected by the police.

4. Considering these submissions and the submission of alibi as per the report given by the police, I am inclined to confirm the interim pre-arrest bail on the same terms and conditions. However, the

applicant/accused is directed to attend the concerned police station on every Friday between 10 am to 12 noon, for one month i.e., till 15.8.2015.

5. Anticipatory Bail Application is disposed of accordingly.

(MRS.MRIDULA BHATKAR, J.)