

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO. 545 OF 2016**

Rohit Keshav Jagtap	...Applicant
Versus	
The State of Maharashtra	...Respondent

Mr. Rupesh A. Zade for the Applicant

Mrs. Veera Shinde, A.P.P for the Respondent-State

CORAM : REVATI MOHITE DERE, J.
WEDNESDAY, 23RD MARCH, 2016

P.C. :

1. Heard learned Counsel for the applicant and the learned A.P.P.
2. By this application, the applicant seeks pre-arrest bail in connection with C.R. No. 38 of 2016 registered with the Baramati City Police Station, for the alleged offences punishable under Section 307 r/w 34 of the Indian Penal Code.
3. According to the complainant – Mayur Jadhav, on 25th January, 2016 at about 00:15 hrs., when he was returning home along with his friend

Aseem on his bullet motorcycle, the present applicant along with Lokesh Mane and one unknown person came on a motorcycle. He has alleged that the present applicant said, “You had assaulted me, now I will see you”, and thereafter, asked the co-accused Lokesh Mane to fire at him with the pistol. According to the complainant, Lokesh Mane put the pistol on his head, as a result of which, he jumped from his motorcycle and fell down. Thereafter, it is alleged that, as the complainant started running from the spot, Lokesh fired a shot in his direction, however, the complainant did not sustain any injury.

4. Learned Counsel for the applicant states that the complainant has not received any injuries. He submits that no overt act is attributed to the applicant.

5. Learned A.P.P opposed the bail application. She submitted that the role of the applicant has been disclosed specifically and categorically by the complainant. She submitted that it is the applicant who instigated the co-accused Lokesh Mane to fire at the complainant. She submits that

there are almost 13 cases registered as against the applicant which are similar in nature.

6. Perused the papers. The FIR clearly discloses the complicity of the applicant. There are almost 13 C. Rs, which have been registered as against the applicant. Considering the role of the applicant and the antecedents, this is not a fit case to grant pre-arrest bail to the applicant.

7. Hence, the application for anticipatory bail is rejected and is disposed of as such.

8. It is made clear that, if an application for regular bail is filed, the same shall be considered on its own merits, uninfluenced by the observations made in this order.

REVATI MOHITE DERE, J.