

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

ANTICIPATORY BAIL APPLICATION NO.2031 OF 2016

Manna @ Manoj Bharat Gangurde ... Applicant

Vs.

The State of Maharashtra .. Respondent

Mr.R.D. Suryawanshi for the Applicant
Mr.S.H. Yadav, APP, for Respondent – State
Mr.J.S. Shelkar, API, Nashik Road Police Station - present

CORAM: Mrs.MRIDULA BHATKAR, J.

DATED: JANUARY 12, 2017

P.C. :

1. This application is moved for pre-arrest bail as the applicant/accused is prosecuted for the offences punishable under sections 307, 143, 147, 148, 149, 120B of the Indian Penal Code in C.R. No.I-542 of 2016 registered with the Nashik Road police station. One Ekanath Balu Tile is the complainant, who has stated that he had developed a dispute with one Prabhakar Bhojne on 27.9.2016 at around 4.30pm. The applicant/accused alongwith the co-accused assaulted him. The applicant/accused was holding a stick and he gave a blow on the head of the complainant.

2. The learned Counsel for the applicant/accused has submitted that the applicant/accused was holding a stick. He is not the aggressor. The principal accused are released on bail. He submits that the applicant/accused be granted pre-arrest bail.

3. Learned Prosecutor has opposed the application and pointed out that as on today, nearly 10 criminal cases are pending against the applicant. So also, after the incident of present assault, i.e., 27.9.2016, one more case was registered at Upanagar Police Station, Nashik city at C.R. No.455 of 2016 under sections 307 and 353 of the Indian Penal Code

4. On hearing the submissions of the learned Prosecutor, in my view, the applicant/accused does not deserve pre-arrest bail. Anticipatory Bail Application is accordingly rejected.

(MRIDULA BHATKAR, J.)