

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

ANTICIPATORY BAIL APPLICATION No. 733 of 2018

Amol Murlidhar Ghule	..Applicant.
Vs	
State of Maharashtra	..Respondent.

Mr. M.S.Mohite I/by S.R.Phanse, Advocate for the applicant.
Mr. S.R. Agarkar, APP for the State.

**CORAM :- SMT. ANUJA PRABHUDESSAI, J.
DATE :- 16th October, 2018.**

- 1) This is an application under Section 438 of Criminal Procedure Code, filed by the aforesaid applicant apprehending his arrest in C.R.No. 82 of 2018, registered at Bund Garden Police Station, Pune for an offence punishable under section 307 of the Indian Penal Code.
- 2) Heard Mr. Mohite, learned counsel for the applicant and Mr. Agarkar, learned APP for the State. Perused the records and considered the submissions advanced by the learned counsels for the respective parties.
- 3) The aforesaid crime was registered pursuant to the first information report lodged by one Nitin Dhondiram Bankar. It is the case of the complainant that there was election on 19/3/2018 to elect President, Vice President and Secretary of the

Maharashtra Rajya Sangh Maryadit, Pune among 21 elected candidates. It is alleged that the first informant who was one of the defeated candidate in the said election, was present along with other workers. It is alleged that there was a scuffle between both the groups and that one unknown person pointed a revolver at sitting MLA, Pravin Darekar and Prasad Lad and others. It is alleged that bodyguards of said Pravin Darekar snatched the revolver and that thereafter policemen took said unknown person to the meeting hall. Said unknown person who had pointed the gun was identified by the first informant. Record reveals that this applicant was granted interim bail by order dated 13/4/2018, wherein it has been observed that the applicant was also assaulted in the said incident. It is further observed that the applicant was manhandled and he had lodged report before the police on 19/3/2018, however, the same was not acted upon. Considering the nature of allegations levelled against the applicant, this Court granted interim bail and had directed the applicant to attend the Investigating Officer for a period of one week from 16/4/2018. The learned counsel for the applicant submits that the applicant had already reported to the Investigating Officer and that he has been interrogated. The

learned counsel for the applicant further submits that the charge-sheet has already been filed. Even otherwise the applicant is a permanent resident of Pune District. There is no possibility of the applicant absconding or thwarting the course of justice. There are no criminal antecedents against the applicant.

4) Considering the above facts and circumstances, in my considered view, this is a fit case for grant of pre-arrest bail to the applicant, on the following terms and conditions:-

- (i) Application is allowed;
- (ii) In the event of arrest in C.R. No. 82 of 2018 registered at Bund Garden Police Station, Pune, the applicant be released on bail on his furnishing bail bonds of Rs. 25,000/- with one or two sureties in the like amount to the satisfaction of the concerned Investigating Officer.
- (iii) The applicant shall attend all the dates before the trial Court.
- (iv) The applicant shall furnish his permanent and temporary address, if any, and his contact details to the Investigation Officer.
- (v) The applicant shall not change his residential address without prior intimation to the Investigation Officer.

(vi) The applicant shall not interfere with the complainant/first informant, other witnesses and shall not tamper with the evidence in any manner.

Application is disposed of in the aforesaid terms.

(SMT. ANUJA PRABHUDESSAI, J.)