

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

CRIMINAL ANTICIPATORY BAIL APPLICATION NO. 770 OF 2019

Jaikishan Ramjibhai Parmar
V/s.

... **Applicant**

The State of Maharashtra

... **Respondent**

Mr.Dilip Kedar for Applicant.

Mr.Amit Palkar, A.P.P. for Respondent-State.

CORAM : A.S. GADKARI, J.

DATE : 29th March 2019.

P.C. :

1] The applicant is apprehending arrest in connection with C.R. No.I-37 of 2019 dated 22/01/2019 registered with Kalyan Taluka Police Station, District Thane, for the offence punishable under Section 307, 323, 504 read with Section 34 of the Indian Penal Code.

2] Heard the learned counsel for the applicant and the learned APP for the State. Perused the record of investigation.

3] The first information report dated 22nd January 2019 is lodged by Mr.Vijay Pendhare.

It is alleged that, the four accused persons named therein assaulted the informant with fists, kick blows and knife on the count of some petty quarrel. The name and role attributed to the applicant is not mentioned in the first information report and the first information report is very specific. The record indicates that the informant has given a supplementary statement dated 25th January 2019 and in the said statement, the name of the applicant has been mentioned. However, no overt act and or specific role is attributed to the applicant in it, except mentioning his presence at the scene of offence.

4] In view of the above, the applicant is entitled to be protected by pre-arrest bail.

Hence, following order.

- (i) In the event of arrest in C.R. No.I-37 of 2019 dated 22/01/2019 registered with Kalyan Taluka Police Station, District Thane, the applicant shall be released on bail on his furnishing PR bond in the sum of Rs.15,000/-, with one or two local sureties in the like amount.

- (ii) Applicant shall attend the Investigating Officer on 4th April 2019 and 5th April 2019 between 10.00 am to 1.00 pm and to join the process of investigation till submission of final report.
- (iii) Applicant shall not tamper with the evidence and/or interfere with the process of investigation.
- (iv) Application is allowed in the aforesaid terms.

[A.S. GADKARI, J.]