

SAS

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO.848 OF 2018

Sunil Babn Paigude ..Applicant.

V/s.

The State of Maharashtra ..Respondent.

Mr.Kuldeep Patil I/b. Mr.Hrishikesh Giri for the applicant.

Smt. J.S. Lohakare, APP for the respondent-State.

CORAM : NITIN W. SAMBRE, J.

DATE : JANUARY 8, 2019

P.C.:-

Heard learned counsel for the applicant and learned
APP for the State.

2. This is an application seeking pre-arrest bail in crime
No.13/2018 for offences punishable under section 302, 307, 325,
323, 143, 147, 148, 149, 504 and 506 of the Indian Penal Code
and under section 135 of the Maharashtra Police Act registered
with Haveli police station, District Pune.

3. Learned counsel for the applicant submits that the

charge-sheet against the co-accused is already filed and as such the investigation in the matter is completed. According to him, since the custodial interrogation of the applicant is not required in view of the filing of the charge, he is entitled to be enlarged on pre-arrest bail.

4. Learned APP relied upon the statements of eye witnesses recorded under section 161 and 164(5) of the Criminal Procedure Code. There are eye witnesses to the incident, namely Dnyanoba, Chaitanya, Rupesh and Smt.Sharada, etc. who have specifically named the present applicant as the person with an aggressive overt act in the commission of the crime in question. That being so, there is hardly any material to presume the innocence of the applicant. Mere filing of the charge-sheet will not be a ground in favour of the applicant for granting pre-arrest bail. That being so, the application stands rejected.

5. Interim protection ordered stood automatically vacated.

(NITIN W. SAMBRE, J.)