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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO.2548 OF 2018

Rohan Anil Rokade ..Applicant.

V/s.

The State of Maharashtra ..Respondent.

Mr.Sachin Dhakephalkar for the applicant.

Mr.S.S.Hulke, APP for the respondent-State.

Mr.Rohan Anil Rokade, applicant present in person.

CORAM : NITIN W. SAMBRE, J.

DATE : JANUARY 31, 2019

P.C.:-

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

2. In crime No.332/2018 for offence punishable under sections 307, 294, 114, 323, 504, 506 read with 34 of the Indian Penal Code registered with Bhadrakali police station, District Nashik, the applicant is seeking pre-arrest bail.

3. F.I.R. came to be lodged on June 18, 2018 by the complainant alleging that the applicant instigated co-accused

Siddharth Dhonde not to spare the complainant. As such, said Siddharth gave stab injuries to the complainant.

4. In the aforesaid background, it is the submission of the learned counsel that the investigation is completed and charge-sheet is filed. Co-accused Siddharth and others are already released on bail and hence the applicant is entitled to be released on pre-arrest bail.

5. The aforesaid contentions, in my opinion, are liable to be rejected. Registration of crime on June 18, 2018 with a specific role of instigating the main accused was found to be basis for apprehension by the learned Sessions Judge for not granting pre-arrest bail which was rejected on August 10, 2018. Co-Accused Siddharth was released prior to the said order i.e. on July 27, 2018.

6. The applicant intentionally avoided arrest and waited till the completion of investigation.

7. In my opinion, in the case in hand, said conduct is required to be taken into consideration as adverse to the interest of the applicant, in addition to the fact that a serious role is attributed to the applicant in the crime in question. The

application stands rejected.

8. At this stage, learned counsel for the applicant, on oral instructions from the applicant who is present in Court, submits that the applicant shall surrender by February 11, 2019. Statement is accepted as an undertaking to this Court. Till then , the applicant may not be arrested in the crime in question.

(NITIN W. SAMBRE, J.)