

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

ANTICIPATORY BAIL APPLICATION NO.2684 OF 2018

Ranjit Devdatta Gore

...Applicant

Vs.

State of Maharashtra

...Respondent

Mr. Satyavrat Joshi a/w. Nitesh Mohite I/b. Jaydeep Mane, for the Applicant.

Mr. Prashant Jadhav, for the State.

CORAM : SARANG V. KOTWAL, J.

DATE : JUNE 26, 2019

P.C.:

1. The applicant is seeking anticipatory bail in connection with C.R. No.273/17 registered with Pangari Police Station under Sections 302, 324, 343, 147, 148, 504 r/w. 149 of IPC.

2. The FIR is lodged by one Somnath Dhumal. According to him, on 8/11/2017, in the evening, there was some altercations between the informant's group and one driver Dagdu Shete who was driving Indica Vista car bearing No.MH-13-AX-1154. After some time, the driver Shete came to the spot with eight other persons and mounted assault on the complainant's group. The assailants were carrying

wooden stumps. During the assault, the first informant's uncle Ramling suffered serious injuries and ultimately he succumbed to his injuries. Therefore, the FIR was lodged. The investigation commenced and seven accused were arrested. The chargesheet is filed against them. Ld. Counsel for the applicant submits that the applicant's name does not appear in the FIR and he is falsely implicated.

3. On the other hand, Ld. APP pointed out that the applicant's name surfaced during interrogation of the one of the accused and the applicant was also present during the assault.

4. At this stage, the information supplied by the co-accused is sufficient for the Investigating Agency to take steps to find all the assailants. In this view of the matter, since during investigation the name of the applicant has transpired as one of the assailant, anticipatory bail in such serious matter cannot be granted to him. Custodial interrogation of the applicant is necessary. Hence, there is no merit in the application. The application is rejected.

5. As per earlier directions of this Court, the Investigating Officer has tendered affidavit explaining his absence on the previous dates. The affidavit is accepted and the application is disposed of.

(SARANG V. KOTWAL, J.)