

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

ANTICIPATORY BAIL APPLICATION NO. 2685 OF 2018

Vishal Nandu Pawar ... Applicant

Versus

The State of Maharashtra ... Respondent

Mr. Kuldeep Patil I/by Prashant S. Hagare for Applicant.

Ms. Rutuja Ambekar, APP for Respondent – State.

CORAM : NITIN W. SAMBRE, J.

DATE : JANUARY 7, 2019.

P.C. :

. In Crime No. 413 of 2018 punishable under Sections 395, 452, 323, 504, 506(2), 509 & 427 of the Indian Penal Code and Section 4 read with Section 25 of the Indian Arms Act, the Applicant is seeking pre-arrest bail.

2. This Court granted ad-interim protection considering the fact that the Applicant can be given chance to show his bona fides by co-operating with the investigation, particularly keeping in mind the fact that Applicant is not named in the FIR.

3. It is informed by the learned APP that the Applicant has not co-operated in the investigation.

4. Though the learned Counsel for Applicant has tried to make out a case for grant of pre-arrest bail based on the fact that the Applicant is not specifically named in the FIR. According to him, even if it is presumed that he is involved, the only role attributed to the Applicant is that of damaging the door of the house of victim. Fact remains that the Applicant has not co-operated the investigation though he was granted interim protection. Specific role is attributed to the Applicant in the FIR. Considering the fact that the complainant was not knowing the name of the present Applicant, he is not specifically named in the FIR. However, in the offence in question the public law and order was sought to be disturbed and the fact that the other co-accused is already absconding, in my opinion, is sufficient to reject the prayer for grant of pre-arrest bail.

5. As such, the Anticipatory Bail Application stands rejected.

(NITIN W. SAMBRE, J.)