

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

**ANTICIPATORY BAIL APPLICATION NO.325 OF 2020**

|                         |               |
|-------------------------|---------------|
| Rohan Vijay Suryawanshi | .. Applicant  |
| <b><i>Vs.</i></b>       |               |
| State of Maharashtra    | .. Respondent |

.....

Mr.Satyavrat Joshi i/b. Mr.Nitesh J. Mohite, Advocate for the Applicant.

Mrs.Veera Shinde, APP for the Respondent – State.

Mr.R.D. Jadhav, PC Bhosari Police Station, Pimpri – Chinchwad, Pune, present.

.....

**CORAM : PRAKASH D. NAIK, J.**

**DATED : FEBRUARY 11, 2020.**

**P.C. :**

Applicant is seeking anticipatory bail in connection with C.R.No.1045 of 2019, registered with Bhosari Police Station, Pimpri-Chinchwad, Pune, for the offences punishable under Sections 326, 323, 504, 143, 144, 147, 148 and 149 of Indian Penal Code (“IPC”, for short) and under Sections 4 and 25 of the Arms Act, as well as Sections 37 and 135 of the Maharashtra Police Act.

2           The case of the complainant is that on 24<sup>th</sup> December, 2019, applicant and the other accused called complainant and his friend and abused them. They were assaulted with fist blows. At about 11:55 p.m, the complainant and his friend came back to take their motorcycle. Complainant and his friend were going towards their home by motorcycle. Applicant and the co-accused stopped them. They were abused. Applicant assaulted the friend of complainant Siddheshwar by sickle on his head and co-accused assaulted complainant with fist and blows as well as bamboo stick.

3           Learned counsel for the applicant submitted that the FIR is false. The version of the complainant is exaggerated. It is difficult to believe the case of the prosecution, custodial interrogation of the applicant is not necessary. Learned APP pointed out that specific role has been assigned to the applicant. Injury certificate corroborates version of the complainant. Two persons were injured.

4           On perusal of the FIR and the injury certificate, it is apparent that *prima facie* case is made out against the applicant. FIR specifically mentions that the applicant had called the

complainant. He was abused and assaulted. Again in the night, the applicant assaulted Siddheshwar by sickle on his head. The co-accused assaulted by bamboo sticks to the complainant. Injury certificate of the complainant and other injured witness corroborates prosecution case. In view of the above, no case for grant of anticipatory bail is made out. Hence, the same is rejected. Anticipatory Bail Application 325 of 2020 stands disposed of.

5           It is clarified that the observations made in this order is *prima facie* for considering this application and trial Court shall not be influenced by the same.

**(PRAKASH D. NAIK, J.)**