

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

CRIMINAL ANTICIPATORY BAIL APPLICATION NO. 333 OF 2020

Pratap Ashok Pawar	...Applicant
Versus	
The State of Maharashtra	...Respondent

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Mr. Keshav S. Chavan, Advocate for the Applicant.
Mr. S. R. Agarkar, APP for the Respondent – State.
Mr. Sarode Mohan, API, Deonar Police Station, Mumbai, Present.

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CORAM : PRAKASH D. NAIK, J.

DATE : 11th MARCH, 2020

PC :

1. This is an application for anticipatory bail in C.R. No. 409 of 2019 registered with Deonar Police Station, Mumbai for offences punishable under Sections 307, 323, 324, 354, 354(d), 504 & 506 r/w Section 34 of Indian Penal Code. The FIR was lodged on 1st December, 2019.

2. The case of the complainant is that there was previous quarrel between complainant and co-accused. Co-accused Shahid assaulted by knife. The applicant is attributed role of outraging modesty and assaulting witnesses by fist and kick blows. The applicant instigated co-accused Shahid. He assaulted wife of complainant. She had sustained injury. Learned counsel for the applicant submitted that the applicant has been falsely implicated in this case. Cross case is

registered. Custodial interrogation of the applicant is not necessary.

3. Per contra learned APP pointed out that, specific role has been attributed to the applicant.

4. On perusal of the FIR which it is apparent that, specific overt act has been attributed to the applicant. He was part of unlawful assembly. The applicant was instigating co-accused. The co-accused had assaulted wife of the complainant. She sustained head injury. Even after blow was given by co-accused, the applicant assaulted the complainant and others by fist and kick blows, which shows that there was intention to commit crime. In view of this, no case for grant of bail is made out.

5. Hence, I pass the following order :

ORDER

Anticipatory Bail Application No.333 of 2020
stands rejected and disposed of accordingly.

(PRAKASH D. NAIK, J.)