

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

CRIMINAL ANTICIPATORY BAIL APPLICATION NO.83 OF 2021

Akshay @ Babu Suresh Gaikwad

... Applicant

Versus

The State of Maharashtra

... Respondent

.....

Mr. Rohit S. holding for Mr. Nitesh J. Mohite, Advocate for the Applicant.

Mr. A. R. Kapadnis, APP for the Respondent – State.

.....

CORAM : PRAKASH D. NAIK, J.

DATE : 15th JANUARY, 2021.

PER COURT:

1. This is an application for anticipatory bail in C.R. No. I-167 of 2020 registered with Shivaji Nagar, Police Station, Ambarnath for the offences under Sections 326, 324, 323, 506, 141, 143, 147, 148 & 149 of Indian Penal Code.

2. The applicant has preferred an application for anticipatory bail before the Sessions Court which has been rejected by order dated 27th November, 2020.

3. The case of the prosecution is that, the informant was walking outside the main gate of his building after having dinner on 25th July, 2020. The applicant and others came in front of the informant and the applicant had questioned him as to how he is interfering with Babubhai. The applicant took out knife and gave

Manish
S. Thatte

Digitally signed by
Manish S. Thatte
Date: 2021.01.19
11:15:47 +0530

blow on left thigh, left shoulder, left wrist and middle finger of the informant. The other accused assaulted the informant by stick and fist blows.

4. Learned advocate for the applicant submitted that the applicant has been falsely implicated in this case. It is further submitted that the co-accused is granted bail. The custodial interrogation of the applicant is not necessary.

5. Learned APP submitted that the specific overt act has been attributed to the applicant. He has assaulted the informant with knife. The weapon has been recovered from the co-accused. There are eight criminal antecedents against the applicant.

6. Considering the role attributed to the applicant in the First Information Report and the nature of the evidence against him, no case for grant of anticipatory bail is made out.

ORDER

Anticipatory Bail Application No.83 of 2021 is rejected and stands disposed of accordingly.

7. This order will be digitally signed by the Private Secretary/Personal Assistant of this Court. All concerned will act on production by fax or email of a digitally signed copy of this order.

(PRAKASH D. NAIK, J.)