

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

ANTICIPATORY BAIL APPLICATION NO. 639 OF 2021

Swapnil Bhaskar Rane

.... Applicant

Versus

The State of Maharashtra

.... Respondent

Mr. Sushil Shukla for Applicant.

Mr. Ajay Patil, APP for State/Respondent.

CORAM : SARANG V. KOTWAL, J.
DATE : 09th MARCH, 2021

P.C. :

1. The Applicant is seeking anticipatory bail in connection with C.R.No.31of 2021 registered with Mangaon Police Station, Dist. Raigad, on 17/02/2021, under sections 323, 504 and 506(2) of the Indian Penal Code (for short 'IPC') and under sections 4 and 27 of Indian Arms Act.

2. Heard Shri. Sushil Shukla, learned counsel for the applicant and Shri. Ajay Patil, learned APP for the State.

3. The First Information Report (for short 'F.I.R.') is

lodged by one Mohammad Arif. He has stated that on 06/02/2021 at about 7:30p.m. the applicant who was residing near the informant's gala came there. He abused the informant and gave a kick blow. Then he brought a sword. He was about to give a blow but the informant resisted. The applicant's brother intervened and the applicant went away from the spot. After that, this F.I.R. was lodged.

4. Learned counsel for the applicant submitted that, no injury is caused to the informant. The applicant had ample opportunity to cause injury if he wanted, but he did not do so, therefore, no such incident had taken place and allegations in the F.I.R. are exaggerated.

5. Learned APP left the matter to the discretion of the court.

6. I have considered the averments in the F.I.R. The incident appears to be a petty incident. No injury was caused to the informant. There is a possibility that exaggerated version is narrated in the F.I.R. Custodial interrogation of the present applicant is not necessary. The applicant has not caused any injury,

though he had weapon and opportunity to do so, even as per the averments in the F.I.R. Therefore, investigation can go on without his custodial interrogation. He can be granted protection of an order of anticipatory bail, but he will have to attend the concerned police station and will have to co-operate with the investigation.

7. Hence, the following order :

ORDER

- (i) In the event of his arrest in connection with C.R.No.31of 2021 registered with Mangaon Police Station, Dist. Raigad, the applicant is directed to be released on bail on his furnishing PR bond in the sum of Rs.30,000/- (Rupees Thirty Thousand Only) with one or two sureties in the like amount.
- (ii) The Applicant shall attend the concerned Police Station, as and when called, and shall cooperate with the investigation.
- (iii) Application stands disposed of accordingly.

(SARANG V. KOTWAL, J.)