

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

ANTICIPATORY BAIL APPLICATION NO.1431 OF 2021

Vikas Rajendra Yadav & Ors.

.... Applicants

versus

State of Maharashtra

.... Respondent

.....

- Mr.R.S. Dwivedi, Advocate for Applicant.
- Smt.Anamika Malhotra, APP for the State/Respondent.

CORAM : SARANG V. KOTWAL, J.

DATE : 07th JULY, 2021

(Through video conferencing)

P.C. :

1. The Applicants are seeking anticipatory bail in connection with C.R.No.496/2021 registered with Kandivali Police Station, on 26/05/2021 under sections 326, 323, 504, 506(II) of the Indian Penal Code and under sections 4 and 25 of the Indian Arms Act.

2. The FIR is lodged by one Anil Ramkeval Yadav. He has stated that on 26/05/2021 at about 12.10 a.m. in the midnight

he was going towards Nalasopara. When he reached Kandivali West, he saw 3-4 persons cutting cake on the street. They were known to him. Applicant Vikas stopped the informant and abused him because of some quarrel which had taken place on Holi. The other Applicant Sujit beat him with his hands. The Applicant Raghuvir Yadav took out a sword from a Rikshaw and gave it to the Applicant Vikas. The informant was caught hold by the Applicant No.4 Rajendra. Applicant Vikas gave blows with sword on the informant's right arm and stomach causing bleeding injuries. The informant raised shouts. People from locality gathered there. The Applicant Vikas threatened them. The informant was rescued by his friend Vinay. Then he went to take treatment from Doctor and then this FIR is lodged.

3. Heard Mr.R.S. Dwivedi, learned counsel for the Applicants and Smt.Anamika Malhotra, learned APP for the State.
4. Learned counsel for the Applicants submitted that the

informant himself has many criminal antecedents and a false case is lodged against him.

5. Learned APP produced the medical certificate before me. She submitted that the Applicant No.1 has two previous antecedents.

6. I have considered these submissions, and, in particular, I have perused the medical certificate of the informant. He has suffered four injuries. There was one swelling and one CLW. Swelling was on left leg and CLW was on left arm. There were two abrasions on one knee and lower back. All the injuries were described as simple injuries. Therefore it appears that the narration in the FIR is highly exaggerated. No serious injury is caused. Therefore the Applicants' custodial interrogation is not necessary. They can be protected by an order of anticipatory bail.

7. Hence, the following order :

ORDER

- (i) In the event of their arrest in connection with C.R.No.496/2021 registered with Kandivali Police Station, the Applicants are directed to be released on bail on their furnishing PR bond in the sum of Rs.30,000/- (Rupees Thirty Thousand Only) each, with one or two sureties each, in the like amount.
- (iii) Application stands disposed of accordingly.

(SARANG V. KOTWAL, J.)