

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

ANTICIPATORY BAIL APPLICATION NO. 1423 OF 2021

Bhau Valku Bhoir ... Applicant

Versus

The State of Maharashtra ... Respondent

.....

Mr. Pandit Kasar, Advocate for the Applicant.

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

Mr. Parshuram Londe (A.P.I.) L.C.B. Thane, Rural, present.

.....

CORAM : PRAKASH D. NAIK, J.

DATE : 21st JUNE, 2021

PER COURT:

1. This is an application for anticipatory bail in C.R. No.53 of 2020 registered with Kasara Police Station for offences under Sections 307, 326, 323, 143, 147, 148, 149, 452, 427, 504 & 506 of Indian Penal Code (for short “IPC”). The First Information Report (for short ‘FIR’) was registered on 7th May, 2020.

2. The applicant had preferred an application for anticipatory bail before the Sessions Court which was rejected by order dated 23rd July, 2020.

3. The case of the prosecution is that, a group of persons including the applicant were involved in assaulting the injured

person. The statements of eye witnesses indicate that the applicant was armed with bamboo stick.

4. Learned counsel for the applicant submitted that no specific overt act has been attributed to the applicant. Assuming the allegations to be true, the injured person to whom the applicant had allegedly assaulted had sustained simple injury. The co-accused was granted anticipatory bail by this Court vide order dated 4th November, 2020.

4. Learned APP submitted that the applicant was part of group of persons, who were armed with weapon and assaulted the opponents. The applicant is absconding. He was armed with bamboo stick. Considering the nature of offence, his role cannot be segregated at this stage.

5. The FIR was registered on 7th May, 2020. The application for anticipatory bail was rejected by the Sessions Court on 23rd July, 2020. After a period of about one year, the applicant moved this application before this Court. Apparently, he was absconding. He has been named in the FIR. He has participated in the assault. Hence, no case for grant of anticipatory bail is made out.

ORDER

Anticipatory Bail Application No. 1423 of 2021 is rejected and stands disposed of accordingly.

(PRAKASH D. NAIK, J.)